This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

+ *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.

+ *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.

+ *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.

+ *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at `http://books.google.com/`

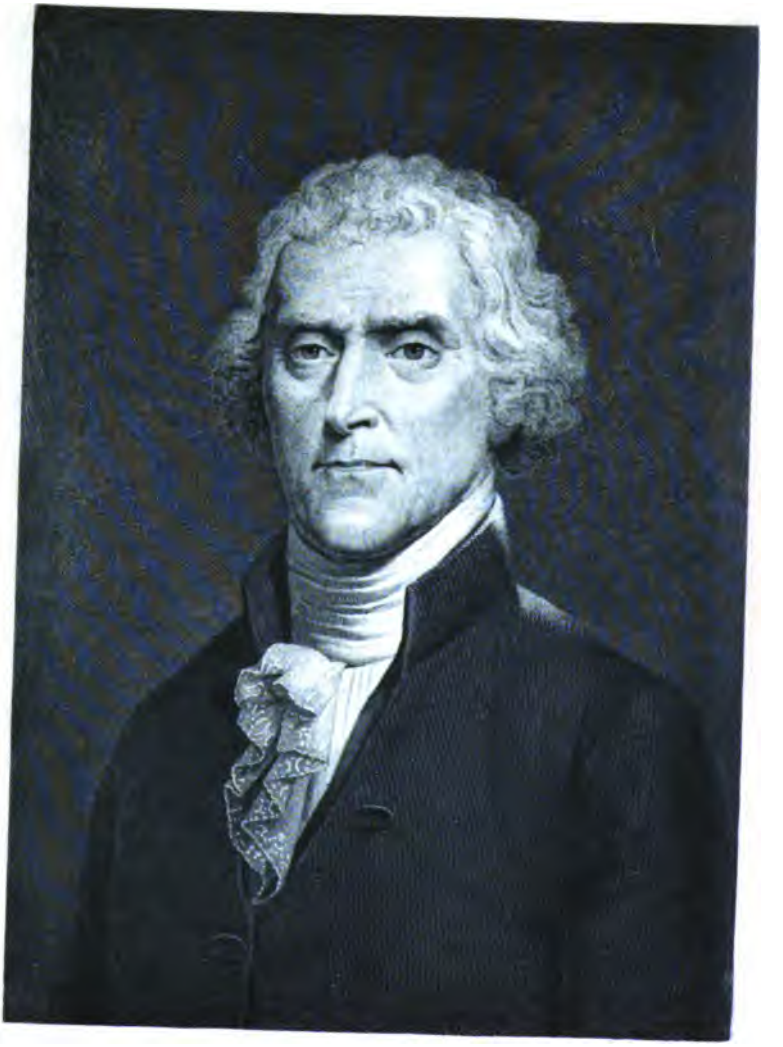
GIFT OF
Milton Newmark

Digitized by Google

Digitized by Google

Digitized by Google

Digitized by Google



Digitized by Google

THE WRITINGS OF

Definitive Edition

CONTAINING THE

AUTOBIOGRAPHY, NOTES [illegible] PARLIAMENTARY MANUAL, OFFICIAL PAPERS, MESSAGES AND ADDRESSES AND OTHER WRITINGS, OFFICIAL AND PRIVATE, NOW COLLECTED AND

Jefferson at Forty-four

Photogravure from Dequevauvillier's engraving of the Original Painting by Desnoyers.

ALL OF THE ORIGINAL MANUSCRIPTS, DEPOSITED IN [illegible]

Jefferson was about forty-four years old when he sat for this picture at Paris while Ambassador to France (1784-1789).

[illegible] OF CONGRESS

WITH NUMEROUS ILLUSTRATIONS

AND

ALBERT ELLERY BERGH
EDITOR

VOL. VII.

ISSUED UNDER THE AUSPICES OF

OF THE UNITED STATES
WASHINGTON, D. C.
1903

Digitized by Google

Digitized by Google

THE WRITINGS OF
THOMAS JEFFERSON

Definitive Edition

CONTAINING HIS

AUTOBIOGRAPHY, NOTES ON VIRGINIA, PARLIAMENTARY MANUAL, OFFICIAL PAPERS, MESSAGES AND ADDRESSES, AND OTHER WRITINGS, OFFICIAL AND PRIVATE, NOW COLLECTED AND

PUBLISHED IN THEIR ENTIRETY FOR THE FIRST TIME

INCLUDING

ALL OF THE ORIGINAL MANUSCRIPTS, DEPOSITED IN THE DEPARTMENT OF STATE AND PUBLISHED IN 1853 BY ORDER OF THE JOINT COMMITTEE OF CONGRESS

WITH NUMEROUS ILLUSTRATIONS

AND

A COMPREHENSIVE ANALYTICAL INDEX

ALBERT ELLERY BERGH
EDITOR

VOL. VII.

ISSUED UNDER THE AUSPICES OF
THE THOMAS JEFFERSON MEMORIAL ASSOCIATION
OF THE UNITED STATES
WASHINGTON, D. C.
1907

Digitized by Google

Ceded to Library

COPYRIGHT, 1905,
BY
THE THOMAS JEFFERSON MEMORIAL
ASSOCIATION

Digitized by Google

E332
A2
1905
v.7-8

JEFFERSON'S SERVICE TO CIVILIZATION DURING THE FOUNDING OF THE REPUBLIC.[1]

At the present time, when we are preparing to celebrate the centennial anniversary of the peaceable acquisition of the Louisiana territory, the splendid service to the nation rendered by Thomas Jefferson as President of the Republic is rightly commanding the attention of thoughtful patriots; for the peaceable acquisition of this vast domain was rendered possible largely through his foresight and broad-visioned statesmanship. He did not create the opportunity, but he so prepared for the contingency that when the opportunity arose the representatives of the Republic were on the spot to act with the courage and despatch necessary. And this service to the United States was but one of many noble achievements that marked his eight years as Chief Executive. Yet, important as was his work in the Presidential chair, it is overshadowed by his inestimable service to civilization prior to and during the establishing of the Republic.

Thomas Jefferson possessed in a larger degree than any other leading constructive statesman in active

[1] Originally published in *The Arena* of May, 1903.

M636365

Digitized by Google

political life during the foundation period of our Republic the ideals and aspirations of the noblest thinkers and most devoted friends of free government of the present time. He more than any other President of the last century stood for the four cardinal and essential demands of a civilization dominated by the genius of justice, progress, and fraternity: (1) equal rights for all and special privileges for none; (2) liberty of conscience, freedom of speech, and a free press; (3) peace and amity between men and nations; (4) universal education. Moreover, he more than any leading New World statesman of a hundred years ago embodied the noblest concept of the spirit of democracy that up to his day had appeared above the horizon of civilization.

Thomas Jefferson was born in Albemarle County, Virginia, April 2, 1743. From his fifth year until he was sixteen he enjoyed the instruction of the ablest tutors in the vicinity of his home. When sixteen years of age he entered William and Mary College, at Williamsburg, and two years later was graduated from that institution. Though only eighteen years of age, he was remarkably proficient in Greek, Latin, and French, in higher mathematics, natural science, and history, and was thoroughly conversant with the masterpieces of literature, ancient and modern.

Determining on law as a profession, he entered the office of George Wythe, one of the ablest and most high-minded attorneys and jurists of the time. It is an interesting fact that this profound legal scholar

Digitized by Google

prepared three young men for the bar who were destined to rank among the most illustrious public servants of the Republic—Thomas Jefferson, Chief Justice Marshall, and Henry Clay.

In the early days it was no difficult task to obtain admittance to the Virginia bar. Patrick Henry, with no special previous training, passed muster after only six weeks' study. But Jefferson was born with the instincts of a true scholar. No superficial knowledge or half-way recognition of facts satisfied him. He must sound the depths and seek the fountain-head for a thorough knowledge of the origin of statutes.

For five years Jefferson studied law—studied it exhaustively, after the manner of a scientific student who is not content until he has traced laws to their origin and has become conversant with the conditions obtaining when great rulings were made or precedents established.

In 1768 Jefferson was elected to represent Albemarle County in the Virginia House of Burgesses, a position to which he was chosen at every successive election until the House was closed by the Revolution. His legislative experience during the first session was very brief; for three days after the formal opening of the House the members of the legislature, in response to an appeal from Massachusetts to resist by all constitutional means the attempt of England to collect duties on certain articles of import, passed resolutions declaring

Digitized by Google

against taxation without representation, affirming the right of the colonies to confer and co-operate in efforts to redress their grievances, and denouncing as "an inexpressible complexity of wrong" the act providing that accused persons should be sent from their country for trial.

For the passing of this outspoken act the royal governor dissolved the House, whereupon the legislators repaired to the historic Raleigh Tavern, at Williamsburg, and resolved to buy no more English goods that could possibly be dispensed with, and to urge their countrymen to do the same. Among the eighty-eight members who signed this compact were Thomas Jefferson, George Washington, Patrick Henry, George Mason, and Richard Henry Lee.

Rapidly and darkly grew the clouds that threatened war. The excitement over the investigation being conducted by the authorities for the Crown over the burning of the "Gaspee" in the waters of Rhode Island had reached fever heat in March, 1773, when a company of as rare souls as ever risked life in defense of a principle assembled in Raleigh Tavern. All were members of the House of Burgesses; all were young men; and Thomas Jefferson was there, as he was from the first a leading spirit in the Revolutionary meetings. These daring young statesmen framed a resolution with great care, so as not to alarm the timid members, but which was destined to bear momentous results. It provided for the appointment of a Committee of Correspondence and

Digitized by Google

Inquiry for the dissemination of intelligence between the colonies. It was to be a standing committee of eleven. To prevent miscarriage and allay apprehension the resolution was offered—"For the purpose of quieting the minds of His Majesty's faithful servants in this colony, which had been much disturbed by various rumors and reports of proceedings tending to deprive them of their ancient legal and constitutional rights."

Other colonies were urged to appoint similar committees. The resolution was promptly passed, and the committee appointed contained such earnest young patriots as Thomas Jefferson, Patrick Henry, Peyton Randolph, and Richard Henry Lee.

This bold action was followed by the dissolution of the House, but the committee remained at the capital and carefully prepared a circular letter, addressed to all the colonies, in which the purpose of the committee was fully explained and an urgent invitation was put forth to each colony immediately to appoint a similar committee, to the end that the thirteen dependencies might be kept in close touch and promptly informed of every overt act taken.

Not only did the colonies promptly respond, but ere long almost every county, settlement, and village had its committee. Their work was indispensable. At one time they were the soul and strength of the rising tide of opposition, the hope of liberty, and the bond of union that emboldened men and colonies to speak and strike in a way that would not have been.

Digitized by Google

thought of if there had been no sense of strength through organization and concert of counsel.

If to-day in every State the friends of Majority Rule and the foes of the criminal aggressions of corporate greed had these State and county Standing Correspondence Committees of Eleven, like the old colonial patriots, and composed of the brightest and bravest men among the conscience element, the corruption of political life incident to virtual government by the corporations and the exploitation and robbery of the people through privilege and monopoly could be quickly checked. Here as on numerous other occasions the actions of Jefferson and the young patriots of the seventies indicate a wise course for the apostles of progressive democracy and justice to-day.

In the spring of 1774 the House of Burgesses assembled, with Jefferson and many of his patriotic friends in their accustomed seats. The Boston Port bill had been published. For the throwing overboard of some chests of tea by some citizens, the first city of New England was to be destroyed by the closing of her ports on June 1st. Young Virginia was as much alive to the gravity of the situation as were the patriots of Massachusetts. All were brothers now, and again in the famous old Raleigh Tavern we find Jefferson, Patrick Henry, the two Lees, and a few other leading spirits of revolt closeted. They are again mapping out an important line of action. All feel that the object of the most

Digitized by Google

pressing importance is the immediate rousing of the whole population of Virginia to the peril that confronts the American dependencies.

It was finally decided to attempt to pass an order through the House of Burgesses setting apart June 1st as a day for fasting, prayer, and humiliation, to be observed in all the churches. It required tact and skill to prepare a resolution that could be passed, as the nearer the hour drew for the cloud-burst the more timid became the older and more conservative members. In after years, when referring to this important meeting, Jefferson wrote: "We cooked up a resolution, somewhat modernizing the Puritan phrases, appointing the first day of June for a day of fasting, humiliation, and prayer, to implore Heaven to avert from us the evils of civil war and to inspire us with firmness in support of our Rights, and to turn the hearts of the King and Parliament to moderation and justice."

The young men who prepared this resolution were famed more for skill with the violin and grace in dancing than for piety and prayer; and Jefferson well understood that if he or any of his youthful confrères were to offer the resolution, with its pious preamble smelling so strongly of the "godly" days when Oliver Cromwell and his Ironsides ever had a prayer on their lips, a psalm in their throats, or a sacred text on their tongues, it would, or at least might, call forth the ridicule of the opposition and in the end defeat the measure. So a pious elderly

Digitized by Google

member was sought out, and he agreed to offer the resolution, which was promptly passed.

Again the royal governor dissolved the House. The members met the next day at the Raleigh Tavern, where they directed the Committee of Correspondence to propose an American Congress of Deputies for all the colonies. Next they voted to meet in August to elect the Virginia members to the proposed congress, and they boldly declared that an attack on one colony was an attack on all.

With this action Virginia may be said to have passed the Rubicon.

Immediately after the adjournment of the meeting the members set out to their various bailiwicks, where they enthused the clergymen of the colony with their own patriotism and so aroused the people that by the first of June the great fast day led to the crystallizing of the revolutionary sentiment of the colony, just as the leaders had predicted it would. Never before, and rarely since, have the clergy been so brave and outspoken. "The cause of liberty is the cause of God!" exclaimed one minister; and this was the sentiment echoed from ocean to mountain. In after years Jefferson wrote of this memorable occasion: "The effect of the day was like a shock of electricity, arousing every man and placing him erect and solidly on his center."

Between the dissolution of the House of Burgesses and the meeting of the members to appoint delegates to the proposed American Congress, Jefferson had

Digitized by Google

been busily engaged in a somewhat exhaustive and remarkably bold and brilliant presentation of the cause of the colonies, embodied as an outline for a series of instructions to be given to the Virginia delegates for their introduction at the general congress. Unfortunately, when he was *en route* for Williamsburg he was taken suddenly ill and was thus prevented from attending the meeting. Copies of this brief of his for the colonies were, however, forwarded by him to the president of the House, and by him laid before the members. The legislature regarded the argument as rather too radical for the time, though it exerted great influence on those who read the manuscript; and the members ordered that it be published in pamphlet form and circulated for the good of the cause under the title of "A Summary View of the Rights of America." In it the fearless young statesman boldly contended—

"That the relation between Great Britain and these colonies was exactly the same as that of England and Scotland after the accession of James and before the Union, and the same as her present relation with Hanover, having the same executive chief but no other necessary political connection; and that our emigration of Danes and Saxons gave to the present authorities of the Mother Country over England."

The publication of this pamphlet produced a tremendous impression wherever it was read. It was eagerly sought for on every hand and ran through several editions. There can be no doubt that, coming at the time it did, it exerted a very positive

Digitized by Google

and far-reaching influence in favor of a bold and firm stand against English aggression.

Copies soon found their way into England. The Liberals hailed it with delight. Some one, it is said to have been Burke, after making some interpolations, republished it to aid the cause of the Opposition. There also several editions were exhausted. "This paper," observes the Honorable John Bigelow, "placed Jefferson among the leaders if not at the head of the revolutionary movement in America. The Declaration of Independence, two years later, was but a perfected transcript of the 'Summary View.' "

From the date of the publishing of this pamphlet Jefferson was the master spirit in the Virginia convention and was as a matter of course selected as a representative from Virginia to the general congress that had been called to meet in Philadelphia.

Shortly after arriving in Philadelphia, Jefferson was assigned committee work when important memorials and replies were to be prepared. His superior education, his knowledge of law, of the precedents of history and of problems relating to political progress, and his happy faculty for presenting a cause in a strong and convincing manner, rendered his services invaluable.

After the Battle of Lexington even the most timid of the representatives came to share the opinions of Mr. Jefferson embodied in his "Summary View." Then it was seen that he had not only clearly per-

Digitized by Google

ceived the coming storm, but he had voiced with marvelous clearness and felicity the opinions and position of America. Consequently, when the memorable committee was appointed to draft the Declaration of Independence, consisting of Franklin, Adams, Sherman, Livingston, and Jefferson, the latter was selected to draw up the momentous paper. This he promptly did, and after some slight and inconsequential modifications it was adopted by the House and signed on July 4th, 1776.

In speaking of the historical importance that circumstances have given to this great document, Mr. Bigelow observes that—

"It seemed to be the weapon that dismembered a great empire and that gave birth to a nation of unbounded possibilities. It gave guaranties for the fame of its author which are possessed by no other production of an American pen. For more than a century it has been read to assembled multitudes in every considerable town in the United States on the anniversary of its adoption; and its style and sentiments have been the model for every people which since that time has sought to assert for itself the right of self-government."

For two months after the signing of the Declaration of Independence Jefferson labored incessantly further to aid in the organization of the government and in the preparation for the struggle being waged. At length he felt he could be better spared to the cause of freedom from the general congress than from the legislature in his own State, where matters of great moment were to be met. Accordingly, he

Digitized by Google

resigned his seat in congress and repaired to Virginia.

This step was taken because he was profoundly impressed with the importance of Virginia aiding in setting the pace for civilization in the New World in regard to just laws that should supplant the old, cumbersome, and unjust statutes that had prevailed. He wished to wipe out many relics of barbarism, and he knew he possessed much influence that might at that time prove of genuine service to civilization.

"When I left Congress in 1776," he tells us in his Autobiography, "it was in the persuasion that our whole code must be reviewed and adapted to our republican form of government, and, now that we had no negatives of councils, governors, and kings to restrain us from doing right, that it be corrected in all its parts with a single eye to reason and the good of those for whose government it was framed."

Arriving at the seat of government, he was at once recognized as the leader and the very life of the progressive or reform element; while around him ranged four or five of as noble-minded men as Virginia has given the world. But in the great reform battle in the legislature, as well as the leader of the committee for the revision of all laws of Virginia, Jefferson was from first to last the master spirit. This is not saying that nearly all the splendid reforms he sought to compass were enacted at this time, or even during the ten or twelve succeeding years, when the magnificent work outlined by Jeffer-

Digitized by Google

son so far as possible was pushed forward by his most able disciple, James Madison. That could not be expected when a statesman fully one hundred years in advance of his age labored with men who were the products of generations of monarchic rule and whose whole lives had been passed under ancient and oftentimes cruel and barbarously unjust laws.

But the work he accomplished and the measures outlined by him and enacted within the next few years would alone entitle him to a high place among the great benefactors of the New World, though his bold championship of the cause of justice raised a storm of opposition from conservatives and upholders of the old order that continued in a measure for more than thirty years.

"Never, perhaps," observes Mr. Parton, "since the earliest historic times has one mind so incorporated itself with a country's laws and institutions as Jefferson with those of new-born Virginia."

His first victory was won in a hard-fought battle for the abolition of the laws of entail. Many of the great old Virginia houses regarded with dismay the success of this bold innovator in sweeping from the statutes this time-honored and deeply cherished *injustice*.

Next came a still more severe contest—the battle against a State Church and for freedom of thought in religious matters. The Established Church of England had long been supported by the people, and now this powerful church organization, almost

Digitized by Google

its whole clergy, and the majority of its wealthiest members were arrayed against Jefferson and his intrepid band. Yet the spirit of the hour and the masterly arguments of the broad-minded reformer overturned intrenched injustice, though bulwarked by prejudice, precedent, and conventionalism. At first the victory was but partial, but the arguments marshaled by Jefferson and the fearless pushing forward of the work by Madison and others of his enthusiastic disciples soon accomplished the great reform.

Another hoary but cherished injustice was swept away after a stubborn contest in the abolition of primogeniture and in the enactment of a law requiring equal partition of inheritances. Here again conventionalism and conservatism made a desperate but unavailing stand.

His noble plan for popular education showed that he more than any other philosophic statesman of his time understood the basic fact that free government can only live in the presence of an enlightened people. His elaborate and carefully wrought out plan for popular education was worthy of a great thinker whose appreciation of the importance of enlightenment was only second to his passion for justice.

He proposed that common schools should be established in the counties of the State, one school to every one hundred householders. They were to be supported by the State. Every ten schools were to

Digitized by Google

have a director or overseer. The State was also to be divided into twenty grammar-school districts, in each of which a grammar-school building, with suitable accommodations for bed and board, was to be erected on public land. These, like the common schools, were to be supported by the public, and here English grammar, Greek, Latin, higher mathematics, and other studies were to be taught. Those scholars who industriously pursued their studies and successfully passed their examinations were to be permitted to attend for several years, while those failing to reach a certain percentage were to be dropped out at the end of each year. Each year also one especially competent pupil was to be selected from each grammar school, thus making twenty in all from the State, and sent to William and Mary College, where they were to be given their tuition, board, lodging, and clothing during the three years required for the full course in that institution.

Jefferson knew that the wealth of the colony was at that time insufficient to enable it to board, clothe, and school all the children, but by his proposed plan every child would have the opportunity to obtain a common-school education, and many a grammar-school training; while each year the State would be enriched by twenty youths whose previous education had indicated that they were intellectually the flower of the youth of the State, equipped with the best college education the community afforded. It will be observed also that this plan would have estab-

Digitized by Google

lished the precedent of the State assuming as her proper function, not merely the intellectual education of the children, but the supplying, so far as her resources would permit, of food, clothing, and shelter for the young while they were acquiring the knowledge he felt to be absolutely essential to the permanent triumph of true democracy. This may have been socialistic in spirit and tendency, but it certainly was wise and evinced far-seeing statesmanship.

The plan of education as outlined by Mr. Jefferson included the founding of a State public library and the establishing of William and Mary College as a State university. He had the drafting of the entire educational plan, but in this work George Wythe and Edward Pendleton concurred.

In 1779 Jefferson was elected Governor of Virginia. The infant State thus far had for the most part escaped the ravages of war and had lavishly sent men and means to strengthen and aid General Washington; and later, after Jefferson became Governor, when the more southern colonies were attacked, she sent men and munitions to aid in the Carolinas, and when, drained of men and resources, the enemy descended upon her defenseless shores, Richmond was captured and ravished by Arnold. The legislature adjourned to Charlottesville, but being pursued they disbanded. Jefferson narrowly escaped capture.

The lack of aggressive defense on the part of

Digitized by Google

Governor Jefferson was seized upon by his enemies all over the State, whose animosity had been aroused by his great reform acts, as something reprehensible. But here, as at other times, Jefferson's actions were prompted by the highest motives of patriotism. The success of Washington and of the whole nation was of far more importance than the making of a doubtful stand against the British in Virginia; and, when it was found that Jefferson had merely acted in harmony with Washington's desires, the next legislature passed a strong resolution of confidence and approved his services as Governor.

In 1784 Mr. Jefferson was appointed by Congress minister plenipotentiary to act with Benjamin Franklin and John Adams in negotiating treaties with European nations, and in 1785 he was appointed Minister to France, to succeed Dr. Franklin, a position he held until 1789, discharging his duties in an eminently satisfactory manner. He succeeded in securing important modifications of the French tariff in the interests of American commerce, and also became a great favorite with the abler and more progressive and republican thinkers of France. Daniel Webster in referring to Jefferson's ministry at Paris said: "No court in Europe had at that time a representative in Paris commanding or enjoying higher regard for political knowledge or for general attainment than the Minister of this infant Republic."

It was while he was absent in France that his

Digitized by Google

friend, James Madison, forwarded to him a draft of the Constitution. Jefferson was amazed and alarmed at its defects. There was no bill of rights properly safeguarding the liberties of the citizens or the States; no precautions against that deadly menace to a republic—a large standing army; no provisions against the curse of monopoly. Freedom of conscience and speech was not granted, and the right of habeas corpus was not made secure. Furthermore, there was no provision against Presidents succeeding themselves indefinitely. The absence of these things was well calculated to disquiet a statesman whose prevision was so keen and whose mind was so richly stored with the warnings of history. Nevertheless he appreciated the perilous condition the country was in without a constitution; so he reluctantly gave his support to the instrument, relying on amendments to remedy its dangerous defects.

When Washington entered upon his duties as first President of the infant Republic, Jefferson was urged to take the portfolio of State, which he very reluctantly accepted. Shortly after the assumption of this portfolio began that struggle of giants for supremacy in the nation, representing two opposing and mutually exclusive ideals of government, which became the chief source of bitterness in the Cabinet of the first President. The apostle of privilege, class rule, and centralization and the apostle of democracy soon found themselves differing at almost every

Digitized by Google

point, because their fundamental conceptions of government were entirely unlike.

Alexander Hamilton, a man of splendid intellectual abilities, of imperious will, and of aristocratic tastes, as ambitious for military glory as he was autocratic in temper, was under the spell of the limited-monarchy idea. He was in spirit, taste, and temper monarchic or imperialistic, and his contempt for the masses—or the "mob," as the early Federalists were pleased to term the people—was as sincere as was his deep-rooted distrust of them. The fact that he was sincere in these conclusions made him doubly dangerous. With him the old Tory citizens went heart and soul. They desired to make the best of what they considered the unhappy outcome of the war. With him naturally was ranged a large proportion of the wealthier citizens, as he was the special champion of the property class. He also attracted the shrewd financiers, who saw in his schemes golden opportunities for the acquisition of the special privileges and subsidies that would enrich the few, not infrequently at the expense of the many; while even more dangerous than all else to the cause of republicanism was the great number of high-minded patriots whose whole previous reading, training, and prejudices inclined them to Hamilton's view of class superiority and of the right of persons of property or means to arrogate rights denied their poorer brethren.

These theories were altogether abhorrent to Jef-

Digitized by Google

ferson. He was too much of a philosopher, well versed in history and human life, to imagine that there could be any security or safety such as Hamilton imagined would exist under a firmly established property-holding class government. He knew, as every deeply thoughtful and philosophic student of history knows, that a ruling class, be it ever so wise and humane at the beginning, soon comes to legislate for its own interests and against those of the masses. He knew full well that the splendid new theory of government—that of liberty, justice, and fraternity for all the people—would rapidly resolve itself into an iridescent dream if the government became subservient or in any way limited to a privileged class, or was left to the administration of individuals not directly accountable to all the people.

Hamilton, though he had fought manfully for the adoption of the Constitution, was never satisfied with that instrument, because of its republican character. He had wished to make the offices of President and Senators dependent on good behavior, with provisions for removal only by impeachment, which would virtually mean life tenure. He desired that no one but members of the propertied class should be allowed to vote for Senators, and that all State Governors should be appointed by the President. Other autocratic provisions were also desired. In a word, he wished to model our government as nearly as the American people would permit after the fashion of the limited monarchy of Great Britain,

Digitized by Google

as he regarded that as the most admirable of governments. Hamilton's lack of confidence in his fellowmen, his sympathy with caste, aristocracy, and wealth, and the fact that his eyes were ever riveted on the past rather than the future, made him timid and fearful of any government not bulwarked by precedent and well-established examples.

On the other hand, Jefferson was a man of faith and conviction. He believed in the divinity of humanity. He had perfect confidence in the people, if equal and exact justice were guaranteed to every unit in the State. He knew that kingscraft, priestcraft, feudalism, aristocracy, autocracy, and in a word all rulership of classes, had been oppressive, unjust, and unfavorable to the highest development of manhood and the rapid progress of civilization; and he believed that the path of safety lay along the line of freedom, fraternity, justice, and equality of rights and opportunities. Hence, though he was as dissatisfied with the Constitution as was Hamilton, it was for reasons diametrically opposed to those of the apostle of privilege, classes, and imperialistic ideals.

Hence, the struggle of the Titans for principles that each held to be essential to the permanence of the new nation grew so fierce that Jefferson's life in the Cabinet was made the most miserable period in his long public career. So bitter at length became this contest that Jefferson resigned his position, not wishing longer to serve in a Cabinet whose discord

Digitized by Google

he felt would itself prove disastrous to the best interests of the State. He did not retire, however, until he had aroused the masses to the extreme peril to republicanism arising from the determined attitude of Hamilton and his party of privilege and reactionary tendencies. As Jefferson had hoped to remedy the defects of the Constitution by amendments, Hamilton was determined to make the government stronger than the Constitution, and thus step by step gain through aggressive centralization, through precedents and the ever-growing power of class interests, the ends that he so devoutly desired at the outset and that Jefferson knew would be subversive of the fundamental principles of free government. The masterly opposition of the greatest exponent of faith in the people against the determined champion of class rule and imperialism checked Hamilton's victorious course ere its baleful influence had dominated the government.

Important as was his brave and determined course in uniting the fortunes of Virginia with those of Massachusetts when the latter colony was the special object of monarchic tyranny; helpful as were his efforts in securing the Standing Committee of Correspondence for the colonies; immensely valuable as was his "Summary View" to the cause of American freedom; essentially glorious as were his voicing of the New World protest and proclamation in the Declaration of Independence; great and far-reaching for good as was his work as the pre-eminent leader

Digitized by Google

in aggressive statesmanship in Virginia, which eventuated in religious freedom, the abolition of entail and primogeniture, and the provision for the equal division of inheritances; splendid as were his program for popular education and his plan for the abolition of slavery and the colonization of the negroes—all these services are overshadowed and eclipsed by his brave, masterly, and victorious stand for freedom against monarchic, reactionary, and class interests. This may, indeed, be said to be the supreme service he rendered in the founding of the greatest of modern nations; for his genius, courage, single-heartedness, patriotism, and loyalty to the lodestone of liberty and just government, guaranteeing equality of opportunity and rights to all citizens, served to beat back the baleful influences that in the light of history and the nature of society could only in the end have proved fatal to free government.

The owls and bats of reaction were put to flight, as were also the harpies of privilege and the cormorants of class interests, while the principles of free government were so clearly established in the imagination of the people that the high priest of the English system and the apostle of classes lost his sway over the nation. Mr. Jefferson, on the other hand, not only became the great leader and interpreter of democracy and the people's choice for Chief Executive for eight years, but the highest office in the Republic passed from him to Mr. Madison, his

Digitized by Google

best-beloved and most devoted disciple, who in turn yielded it to another of Mr. Jefferson's friends and followers. And thus the reign of popular government and robust Americanism became so firmly established that until after the assassination of Abraham Lincoln—another apostle of freedom and champion of the common people—the Republic was the greatest moral world power of any age or time.

Digitized by Google

Richard Henry Lee's Resolution

(June 7, 1776)

Photo-engraving from the Original Draft in Independence Hall, Philadelphia.

This resolution was presented to the Continental Congress a month before the Declaration of Independence was read. In fact, this was the motion passed by Congress that gave Jefferson the task of writing his famous State Document. Richard Henry Lee's speech on introducing this bold measure was one of the most brilliant examples of eloquence ever heard. The Resolution reads:

Resolved, That these United Colonies are, and of right ought to be, free and independent States; that they are absolved from all allegiance to the British Crown; and that all political connections between them and the State of Great Britain is, and ought to be, totally dissolved.

That it is expedient forthwith to take the most effectual measures for forming foreign alliances.

That a plan of confederation be prepared and transmitted to the respective Colonies for their consideration and approbation.

Resolved, That it is the opinion of this Committee that the first resolution be postponed to this day three weeks, and that in the meantime [least any time should be lost in case the Congress agree to this resolution] a committee be appointed to prepare a Declaration to the effect of the said first resolution.

Digitized by Google

Richard Henry Lee's Resolution

(June 7, 1776)

Hand-engraving from the Original Draft in Independence Hall, Philadelphia

This resolution was presented to the Continental Congress a month before the Declaration of Independence was read. In fact, this was the motion passed by Congress that gave Jefferson the task of writing his famous State document. Richard Henry Lee's speech on introducing this bold measure is one of the most brilliant examples of eloquence ever heard. The Resolution reads:

Resolved, That these United Colonies are, and of right ought to be, free and independent States; that they are absolved from all allegiance to the British crown; and that all political connections between them and the State of Great Britain is, and ought to be, totally dissolved.

That it is expedient forthwith to take the most effectual measures for forming foreign alliances.

That a plan of confederation be prepared and transmitted to the respective colonies for their consideration and approbation.

Resolved, That it is the opinion of this Committee that the first resolution be postponed to this day three weeks, and that in the meantime [least any time would be lost in case the Congress agree to this resolution] a committee be appointed to prepare a Declaration to the effect of the said first resolution.

Digitized by Google

Digitized by Google

Digitized by Google

CONTENTS.

	PAGE
JEFFERSON'S SERVICE TO CIVILIZATION DURING THE FOUNDING OF THE REPUBLIC. By B. O. Flower, Editor of *The Arena*	i
LETTERS WRITTEN WHILE IN EUROPE (1784–1789)	1–483
To John Jay, May 4, 1788	1
To Monsieur Terrasson, May 7, 1788	6
To C. W. F. Dumas, May 15, 1788	7
To the Board of Treasury, May 16, 1788	9
To the Count de Moustier, May 17, 1788	12
To John Jay, May 23, 1788	15
To John Brown, May 26, 1788	23
To William Carmichael, May 27, 1788	26
To John Jay, May 27, 1788	31
To Colonel Carrington, May 27, 1788	36
To James Madison, May 28, 1788	39
To Peter Carr, May 28, 1788	43
To the Comte de Bernstorff, June 19, 1788	44
To Thomas Digges, June 19, 1788	47
To John Rutledge, Jr., January 19, 1788	50
To T. Lee Shippen, June 19, 1788	52
To the Count de Montmorin, June 20, 1788	54
To the Count de Montmorin, June 28, 1788	62
To Captain Dircks, July 2, 1788	63
To T. Lee Shippen, Esq., July 13, 1788	64
To Doctor William Gordon, July 16, 1788	66
To R. Izard, July 17, 1788	70
To Rev. James Madison, of William and Mary College, July 19, 1788	73

Digitized by Google

LETTERS WRITTEN WHILE IN EUROPE—*Continued.* PAGE

To Edward Rutledge, July 18, 1788 79
To John Brown Cutting, July 24, 1788 82
To Charles Bellini, July 25, 1788 88
To John Brown Cutting, July 28, 1788 90
To Andrew Limozin, July 30, 1788 92
To James Madison, July 31, 1788 93
To Colonel W. S. Smith, August 2, 1788 99
To John Adams, August 2, 1788 101
To John Jay, August 3, 1788 105
To Colonel James Monroe, August 9, 1788 112
To Hector St. John de Creve-Coeur, August 9, 1788 113
To John Bannister, Jr., August 9, 1788 116
To the Count de Moustier, August 9, 1788 117
To John Jay, August 10, 1788 119
To John Jay, August 11, 1788 121
To William Carmichael, August 12, 1788 124
To John Rutledge, Jr., August 12, 1788 127
To John Jay, August 20, 1788 128
To John Brown Cutting, August 23, 1788 130
To John Jay, September 3, 1788 132
To the Commissioners of the Treasury, September 6, 1788 134
To John Rutledge, Jr., September 9, 1788 137
To John Brown Cutting, September 9, 1788 139
To the Count de Montmorin, September 11, 1788. 141
To Gerard de Reyneval, September 16, 1788 142
To the Marquis Armand de La Rourie, September 16, 1788 143
To William Short, September 20, 1788 145
To John Jay, September 24, 1788 149
To T. Lee Shippen, September 29, 1788 151
To Gerard de Reyneval, October 1, 1788 154
To John Brown Cutting, October 2, 1788 155

Digitized by Google

LETTERS WRITTEN WHILE IN EUROPE—*Continued.* PAGE

To the Count de Montmorin, October 23, 1788 .. 156
To William Short, November 2, 1788 159
To John Brown Cutting, November 3, 1788 161
To C. W. F. Dumas, November 3, 1788 163
To John Jay, November 14, 1788 164
To James Madison, November 18, 1788..... 183
To Alexander Donald, November 18, 1788 187
To John Jay, November 19, 1788 189
To John Jay, November 29, 1788 221
To General George Washington, December 4, 1788 223
To John Adams, December 5, 1788 231
To William Short, December 8, 1788 235
To Doctor James Currie, December 20, 1788 238
To Thomas Paine, December 23, 1788 241
To Thomas Paine, December 23, 1788 245
To William Carmichael, December 25, 1788 247
To Dr. Richard Price, January 8, 1789 252
To John Jay, January 11, 1789 259
To James Madison, January 12, 1789 267
To John Jay, January 14, 1789 270
To John Adams, January 14, 1789 272
To Madame Necker, January 24, 1789..... 275
To John Jay, February 4, 1789 279
To William Short, February 9, 1789 282
To Monsieur De Villedeuil, February 10, 1789 ... 284
To William Short, February 28, 1789 286
To Dr. Edward Bancroft, March 2, 1789..... 289
To T. Lee Shippen, March 11, 1789 291
To John Jay, March 12, 1789 293
To Francis Hopkinson, March 13, 1789 299
To Count de Moustier, March 13, 1789 303
To Madame de Brehan, March 14, 1789 307
To James Madison, March 15, 1789 309
To Thomas Paine, March 17, 1789 315

Digitized by Google

LETTERS WRITTEN WHILE IN EUROPE—*Continued.* PAGE

To Colonel David Humphreys, March 18, 1789 .. 319
To Doctor Joseph Willard, March 24, 1789..... 325
To J. Sarsfield, April 3, 1789 329
To Marquis de La Fayette, May 6, 1789 333
To William Carmichael, May 8, 1789 335
To Lewis Littlepage, May 8, 1789 338
To John Jay, May 9, 1789 340
To General George Washington, May 10, 1789... 347
To James Madison, May 11, 1789 353
To John Jay, May 12, 1789 356
To Monsieur de Pontiere, May 17, 1789 358
To Benjamin Vaughan, May 17, 1789 359
To Thomas Paine, May 19, 1789..... 361
To Doctor Richard Price, May 19, 1789 364
To Hector St. John de Creve-Coeur, May 20, 1789. 367
To Marquis de La Fayette, June 3, 1789..... 370
To Monsieur de St. Etienne, June 3, 1789..... 370
To Marquis de La Fayette, June 12, 1789..... 374
To John Jay, June 17, 1789 375
To James Madison, June 18, 1789 386
To John Jay, June 24, 1789 390
To John Jay, June 29, 1789 397
To Marquis de La Fayette, July 6, 1789 400
To Marquis de La Fayette, July 7, 1789 400
To Jacques Necker, July 8, 1789 401
To Count de Montmorin, July 8, 1789 402
To Marquis de La Fayette, July 9, 1789 403
To Marquis de La Fayette, July 10, 1789 404
To Thomas Paine, July 11, 1789..... 404
To John Mason, July 16, 1789..... 408
To John Jay, July 19, 1789 409
To Monsieur L'Abbé Arnoud, July 19, 1789..... 422
To James Madison, July 22, 1789 424
To John Jay, July 23, 1789 428

Digitized by Google

LETTERS WRITTEN WHILE IN EUROPE—*Continued.* PAGE

To John Jay, July 29, 1789 429
To William Carmichael, August 9, 1789 432
To John Jay, August 27, 1789..... 436
To James Madison, August 28, 1789 444
To James Madison, September 6, 1789 454
To Doctor Gem, September, 1789..... 462
To Edward Rutledge, September 18, 1789 463
To John Jay, September 19, 1789..... 467
To Jacques Necker, September 26, 1789 478
To John Jay, September 30, 1789..... 480

Digitized by Google

Digitized by Google

Jefferson as Vice-President

Reproduced from the Original Engraving by C. Tiebout, after the Painting by Rembrandt Peale.

This engraving is from a portrait of Jefferson, probably painted in 1799, by Rembrandt Peale. It is, presumably, this portrait that Jefferson alludes to in his letter to Charles Wilson Peale, dated February 21, 1801, in which he writes: "May I ask the favor of you to present my request to your son that he would be so good as to make a copy of the portrait he took of me, and of same size?" The Tiebout copper-plate engraving made from it is very rare and was first published by D. Kennedy, of Philadelphia, about 1801.

Digitized by Google

Digitized by Google

Digitized by Google

Digitized by Google

ILLUSTRATIONS.

JEFFERSON AT FORTY-FOUR ..... *Frontispiece*
Photogravure from Dequevauvillier's Engraving of the Original Painting by Desnoyers.

FACING PAGE

RICHARD HENRY LEE'S RESOLUTION xxiv
Photo-engraving from the Original Draft in Independence Hall, Philadelphia.

JEFFERSON AS VICE-PRESIDENT xxx
Reproduced from the Original Engraving by Tiebout, after the Painting by Rembrandt Peale.

Digitized by Google

Digitized by Google

JEFFERSON'S WORKS.

LETTERS WRITTEN WHILE IN EUROPE.

1784-1789.

TO JOHN JAY.

PARIS, May 4, 1788.

SIR,—I had the honor of addressing you in two letters of the 13th and 16th of March, from Amsterdam, and have since received Mr. Ramson's of February the 20th. I staid at Amsterdam about ten or twelve days after the departure of Mr. Adams, in hopes of seeing the million of the last year filled up. This, however, could not be accomplished on the spot. But the prospect was so good as to have dissipated all fears; and since my return here, I learn (not officially from our bankers but) through a good channel, that they have received near four hundred thousand florins, since the date of the statement I sent you, in my letter of March the 16th; and I presume we need not fear the completion of that loan, which will provide for all our purposes of the year 1788, as stated in that paper. I hope, therefore, to receive from the treasury orders in conformity

Digitized by Google

thereto, that I may be able to proceed to the redemption of our captives. A provision for the purposes of the years, 1789 and 1790, as stated in the same paper, will depend on the ratification by Congress of Mr. Adams' bonds of this year, for another million of florins. But there arises a new call from this government, for its interest at least. Their silence, hitherto, has made it be believed in general, that they consented to the non-payment of our interest to them, in order to accommodate us. You will perceive in the seventy-fifth and seventy-sixth pages of the *compte rendu*, which I have the honor to send you, that they call for this interest, and will publish whether it be paid or not; and by No. 25, page eighty-one, that they count on its regular receipt, for the purposes of the year. These calls, for the first days of January, 1789 and 1790, will amount to about a million and a half of florins more; and if to be raised by loan, it must be for two millions, as well to cover the expenses of the loan, as that loans are not opened for fractions of millions. This publication seems to render a provision for this interest as necessary, as for that of Amsterdam.

I had taken measures to have it believed at Algiers, that our government withdrew its attention from our captives there. This was to prepare their captors for the ransoming them at a reasonable price. I find, however, that Captain O'Bryan is apprized that I have received some authority on this subject. He writes me a cruel letter, supposing me the obstacle

Digitized by Google

to their redemption. Their own interest requires that I should leave them to think thus hardly of me. Were the views of government communicated to them, they could not keep their own secret, and such a price would be demanded for them, as Congress, probably, would think ought not to be given, lest it should be the cause of involving thousands of others of their citizens in the same condition. The moment I have money, the business shall be set in motion.

By a letter from Joseph Chiappe, our agent at Mogadore, I am notified of a declaration of the Emperor of Morocco, that if the States General of the United Netherlands do not, before the month of May, send him an ambassador, to let him know whether it is war or peace between them, he will send one to them with five frigates; and that if their dispositions be unfavorable, their frigates shall proceed to America to make prizes on the Dutch, and to sell them there. It seems to depend on the Dutch, therefore, whether the Barbary powers shall learn the way to our coasts, and whether we shall have to decide the question of the legality of selling in our ports, vessels taken from them. I informed you, in a former letter, of the declaration made by the court of Spain to that of London, relative to its naval armament, and also of the declaration of the Count de Montmorin to the Russian minister here, on the same subject. I have good information, that the court of Spain has itself made a similar and formal

Digitized by Google

declaration to the minister of Russia, at Madrid. So that Russia is satisfied she is not the object. I doubt whether the English are equally satisfied as to themselves. The season has hitherto prevented any remarkable operation between the Turks and the two empires. The war, however, will probably go on, and the season now admits of more important events. The Empress has engaged Commodore Paul Jones in her service. He is to have the rank of rear admiral, with a separate command, and it is understood that he is in no case to be commanded. He will probably be opposed to the Captain Pacha on the Black Sea. He received this invitation at Copenhagen, and as the season for commencing the campaign was too near to admit time for him to ask and await the permission of Congress, he accepted the offer, only stipulating, that he should be always free to return to the orders of Congress whenever called for, and that he should not be expected to bear arms against France. He conceived that the experience he should gain, would enable him to be more useful to the United States, should they ever have occasion for him. It has been understood, that Congress had had it in contemplation to give him the grade of rear admiral, from the date of the action of the Serapis, and it is supposed, that such a mark of their approbation, would have a favorable influence on his fortune in the north. Copies of the letters which passed between him and the Danish Minister are herewith transmitted. I shall immediately represent to Count

Digitized by Google

Bernstorff, that the demand for our prizes can have no connection with a treaty of commerce; that there is no reason why the claims of our seamen should await so distant and uncertain an event; and press the settlement of this claim.

This country still pursues its line of peace. The ministry seem now all united in it; some from a belief of their inability to carry on a war; others from a desire to arrange their internal affairs, and improve their constitution. The differences between the King and parliaments, threaten a serious issue. Many symptoms indicate that the government has in contemplation some act of high-handed authority. An extra number of printers have, for several days, been employed, the apartment wherein they are at work being surrounded by a body of guards, who permit nobody either to come out or go in. The commanders of the provinces, civil and military, have been ordered to be at their stations on a certain day of the ensuing week. They are accordingly gone; so that the will of the King is probably to be announced through the whole kingdom, on the same day. The parliament of Paris, apprehending that some innovation is to be attempted, which may take from them the opportunity of deciding on it after it shall be made known, came last night to the resolution, of which I have the honor to enclose you a manuscript copy. This you will perceive to be, in effect, a declaration of rights. I am obliged to close here the present letter, lest I should miss the oppor-

Digitized by Google

tunity of conveying it by a passenger who is to call for it. Should the delay of the packet admit any continuation of these details, they shall be the subject of another letter, to be forwarded by post. The gazettes of Leyden and France accompany this. I have the honor to be, with sentiments of the most perfect esteem and respect, Sir, your most obedient, and most humble servant.

TO MONSIEUR TERRASSON.

PARIS, May 7, 1788.

SIR,—I have read with attention the papers on the subject of the canal of the Santee and Cooper rivers, and shall be glad to do anything I can to promote it. But I confess I have small expectations for the following reason: General Washington sent me a copy of the Virginia act for opening the Potomac. As that canal was to unite the commerce of the whole western country almost, with the eastern, it presented a great view. The General detailed the advantages of it, and it had the weight of his name, and was known to be under his immediate direction. It was pushed here among the monied men to obtain subscriptions, but not a single one could be obtained. The stockjobbing in this city offered greater advantages than to buy shares in the canal. I tried whether they would lend money on the security of the canal, but they answered they could get as good an interest by lending to their own government, with

Digitized by Google

a douceur in the outset, and would have their money under their own eye, more at their command, and more sure as to the payment of interest. However, if you find any opening, and can point out to me how I may be useful in promoting it, I shall do it with infinite pleasure. I have the honor to be, with sentiments of the most perfect esteem, Sir, your most obedient, and most humble servant.

TO M. DUMAS.

PARIS, May 15, 1788.

SIR,—My first moments after my return having been necessarily occupied by letters which had come during my absence, and which required immediate answers, I have not till now been able to resume my correspondence with you, and to inform you of my safe arrival here after a very agreeable tour through Germany. Our news from America comes down to the 14th of March. At that time the state of the new constitution was thus: It had been accepted in Massachusetts by

	187	ayes,	against	168	noes.
Connecticut	148	"	"	40	"
Pennsylvania	46	"	"	23	"
Delaware	22	"	"	00	"
New Jersey	39	"	"	00	"
Georgia	33	"	"	00	"
	475			231	

Digitized by Google

The Conventions of the other States were to meet as follows:

Maryland	April 21.
South Carolina	May 12.
Virginia	May 26.
New York	June 17.
North Carolina	July —
New Hampshire	June —

Rhode Island had not called a Convention.

I have received a letter from General Washington, wherein he gives it as his opinion, that Virginia will accede to it. Mr. Madison inclines to the same opinion. In fact, if Maryland and South Carolina should have adopted it, as there is great reason to believe, the motives will become very cogent on Virginia for accepting also. She will see that eight States have already concurred, that New Hampshire and North Carolina will probably concur, that the opposition to be made by Virginia and New York would have little effect, and joined with Rhode Island would even be opprobrious. So that probably she will follow the example set by Massachusetts of accepting the constitution unconditionally, and instructing her delegates to join with those of Massachusetts in urging future amendment. In this case the matter will be fixed by nine States at the close of this month, or beginning of the next, and we may have the news by the last of June. It is very possible that the President and new Congress may

Digitized by Google

be sitting at New York in the month of September. I have no other material news from America. Here all seems peace without and war within. A great deal of good is offered to the nation, but some think there is more evil in the form of the offer. I have the honor to be, with sentiments of the most perfect esteem and respect, Sir, your most obedient, and most humble servant.

TO THE HONORABLE THE BOARD OF TREASURY.

PARIS, May 16, 1788.

GENTLEMEN,—In a letter of March 29th, which I had the honor of addressing you from Amsterdam, I stated to you what had passed till that date relative to our money affairs in England, and I enclosed you an estimate of these, which looks forward to the end of the year 1790. I mentioned to you also, that the prospect of filling up the loan of the last million was at that moment good, so that I thought you might be at ease as to the payment of the June interest. I have now the pleasure to enclose you a letter from our bankers of the 8th instant, wherein they inform me they have sold bonds enough to pay the June interest and have a surplus sufficient to replace the moneys lent from the Virginia fund, and by Mr. Grand. These advances were but momentary accommodations, made under the mistaken idea that the money was in Amsterdam ready to replace them, and it was not in idea to inscribe them on the roll of the

Digitized by Google

debts of the United States, to take their turn of payment. You will therefore, I hope, think me justifiable in having them replaced immediately, as there is money enough now for that purpose, over and above the June interest. The balance due to Gateau is for one of the medals I had your orders to have made, and has been due upwards of a twelvemonth. Mr. Short's salary I suppose included under your general order that the diplomatic calls shall be regularly paid by our bankers. So far then, I shall venture to draw immediately, perhaps also for the little balance due to Ast, whose distresses call loudly for assistance. He has been obliged to carry his clothes to the pawnbrokers to raise money for his subsistence. All the other articles of the estimate will await your orders, which you will therefore be pleased to give as you think proper. The foreign officers had proposed a meeting, the object of which was, as I heard, to address Congress in terms which would have been very disagreeable, and at the same time to present a petition to the King, claiming his interposition. This would have made a great deal of noise, and produced very disagreeable effects. This was a few days before I went to Amsterdam. I saw Colonel Gouvion the day before I set out, and desired him to quiet them till my return, explaining to him that one of the objects of my journey would be to enable you to pay them. I have since my return, informed them of the prospect of payment, and that your orders for that purpose may be hoped by the

Digitized by Google

month of June. A letter from O'Brian, at Algiers, shows me that he has had an intimation of my being authorized to redeem them, and imputes the delay to me. I have endeavored, on the contrary, to have it believed at Algiers, that the public will not interest itself in their redemption, having been assured by the General of the religious order who is to act for us, that if the Dey has the least expectations that the public will interfere, he will hold them at such prices as this order has never given, and cannot consent to give, because of the precedent, and that in this case we shall lose the benefit of their agency. Under these circumstances it would be cruelty to the captives to let them know we are proceeding to their redemption. They could not keep their own secret, and the indiscretion of any one of them might forever blast the prospect of their redemption. For I suppose it to be uncontrovertible that a regard to the safety and liberty of our seamen and citizens in general forbids us to give such prices for those in captivity as will draw on our vessels peculiarly the pursuit of those sea-dogs. It is for the good of the captives themselves, therefore, that we submit to be thought hardly of by them; but no time should be lost unnecessarily in proceeding to their redemption; nor shall a moment be lost after I shall be authorized by your order to receive the money. You perceive that by the extract from the letter of the bankers which I have the honor to enclose you, they expect to place speedily the rest of the bonds. I think I

Digitized by Google

may venture to assure you they can do it at any moment if they are pushed. You know the misunderstandings which exist between these two houses. These are the cause of their not always saying as much as they might venture to say with truth. There is an error in the estimate I sent you, which must be explained. I omitted, when I set out from Paris, to ask Mr. Short for a state of the balance due him, and had always been ignorant of it, as the account remained between him and Mr. Grand. When making the estimate at Amsterdam, therefore, I was obliged to conjecture what that balance was, which I did from a very slight and mistaken circumstance as I now find. The balance due him, instead of being about 5000*l.*, as I had guessed, is 13,146*l.* 6, as you will see by his account now enclosed.

I have the honor to be, with sentiments of the most perfect esteem and respect, Gentlemen, your most obedient, and most humble servant.

TO THE COUNT DE MOUSTIER.

PARIS, May 17, 1788.

DEAR SIR,—I have at length an opportunity of acknowledging the receipt of your favors of February, and March the 14th, and congratulating you on your resurrection from the dead, among whom you had been confidently entombed by the newsdealers of Paris. I am sorry that your first impres-

Digitized by Google

sions have been disturbed by matters of etiquette, where surely they should least have been expected to occur. These disputes are the most insusceptible of determination, because they have no foundation in reason. Arbitrary and senseless in their nature, they are arbitrarily decided by every nation for itself. These decisions are meant to prevent disputes, but they produce ten where they prevent one. It would have been better, therefore, in a new country, to have excluded etiquette altogether; or if it must be admitted in some form or other, to have made it depend on some circumstance founded in nature, such as the age or station of the parties. However, you have got over all this, and, I am in hopes, have been able to make up a society suited to your own dispositions. Your situation will doubtless be improved by the adoption of the new constitution, which I hope will have taken place before you receive this. I see in this instrument, a great deal of good. The consolidation of our government, a just representation, an administration of some permanence, and other features of great value, will be gained by it. There are, indeed, some faults, which revolted me a good deal in the first moment; but we must be contented to travel on towards perfection, step by step. We must be contented with the ground which this constitution will gain for us, and hope that a favorable moment will come for correcting what is amiss in it. I view in the same light, the innovations making here. The new organization of the judiciary

Digitized by Google

department is undoubtedly for the better. The reformation of the criminal code, is an immense step taken towards good. The composition of the Plenary court is, indeed, vicious in the extreme; but the basis of that court may be retained, and its composition changed. Make of it a representative of the people, by composing it of members sent from the Provincial Assemblies, and it becomes a valuable member of the constitution. But it is said, the court will not consent to do this; the court, however, has consented to call the States General, who will consider the Plenary court but as a canvas for them to work on. The public mind is manifestly advancing on the abusive prerogatives of their governors, and bearing them down. No force in the government can withstand this, in the long run. Courtiers had rather give up power than pleasures; they will barter, therefore, the usurped prerogatives of the King, for the money of the people. This is the agent by which modern nations will recover their rights. I sincerely wish that in this country, they may be contented with a peaceable and passive opposition. At this moment, we are not sure of this, though as yet it is difficult to say what form the opposition will take. It is a comfortable circumstance, that their neighboring enemy is under the administration of a minister disposed to keep the peace. Engage in war who will, may my country long continue your peaceful residence, and merit your good offices with that nation, whose affections it is their duty and interest to culti-

Digitized by Google

vate. Accept these and all other the good wishes of him, who has the honor to be, with sincere esteem and respect, dear Sir, your most obedient, and most humble servant.

TO JOHN JAY.

PARIS, May 23, 1788.

SIR,—When I wrote my letter of the 4th instant, I had no reason to doubt that a packet would have sailed on the 10th, according to the established order. The passengers had all, except one, gone down to Havre in this expectation. However, none have sailed, and perhaps none will sail, as I think the suppression of the packets is one of the economies in contemplation. An American merchant, concerned in the commerce of the whale oil, proposed to government to despatch his ships from Havre and Boston at stated periods, and to take on board the French courier and mail, and the proposition has been well enough received. I avail myself of a merchant vessel going from Havre, to write the present.

In my letter of the 4th, I stated to you the symptoms which indicated that government had some great stroke of authority in contemplation. That night, they sent guards to seize Monsieur d'Epremenil and Monsieur Goisland, two members of parliament, in their houses. They escaped, and took sanctuary in the Palais (or parliament house). The parliament assembled itself extraordinarily, sum-

Digitized by Google

moned the Dukes and Peers specially, and came to the resolution of the 5th, which they sent to Versailles by deputies, determined not to leave the palace till they received an answer. In the course of that night, a battalion of guards surrounded the house. The two members were taken by the officers from among their fellows, and sent off to prison, the one to Lyons, the other (d'Epremenil), the most obnoxious, to an island in the Mediterranean. The parliament then separated. On the 8th, a bed of justice was held at Versailles, wherein were enregistered the six ordinances which had been passed in Council, on the 1st of May, and which I now send you. They were in like manner enregistered in beds of justice, on the same day, in nearly all the parliaments of the kingdom. By these ordinances, 1, the criminal law is reformed, by abolishing examination on the *sellette*, which, like our holding up the hand at the bar, remained a stigma on the party, though innocent; by substituting an oath, instead of torture, on the *question préalable*, which is used after condemnation, to make the prisoner discover his accomplices; (the torture abolished in 1789, was on the *question préparatoire*, previous to judgment, in order to make the prisoner accuse himself;) by allowing counsel to the prisoner for his defence; obliging the judges to specify in their judgments the offence for which he is condemned; and respiting execution a month, except in the case of sedition. This reformation is unquestionably good, and within

Digitized by Google

the ordinary legislative powers of the crown. That it should remain to be made at this day, proves that the monarch is the last person in his kingdom, who yields to the progress of philanthropy and civilization. 2. The organization of the whole judiciary department is changed, by the institution of subordinate jurisdictions, the taking from the parliaments the cognizance of all causes of less value than twenty thousand livres, reducing their numbers to about a fourth, and suppressing a number of special courts. Even this would be a great improvement, if it did not imply that the King is the only person in this nation who has any rights or any power. 3. The right of registering the laws is taken from the parliaments, and transferred to a Plenary court, created by the King. This last is the measure most obnoxious to all persons. Though the members are to be for life, yet a great proportion of them are from descriptions of men always candidates for the royal favor in other lines. As yet, the general consternation has not sufficiently passed over, to say whether the matter will end here. I send you some papers, which indicate symptoms of resistance. These are, the resolution of the Noblesse of Brittany, the declaration of the Advocate General of Provence, which is said to express the spirit of that province; and the *Arret* of the Chatelet, which is the hustings court of the city of Paris. Their refusal to act under the new character assigned them, and the suspension of their principal functions, are very embarrassing.

Digitized by Google

The clamors this will excite, and the disorders it may admit, will be loud, and near to the royal ear and person. The parliamentary fragments permitted to remain, have already, some of them, refused, and probably all will refuse, to act under that form. The Assembly of the clergy, which happens to be sitting, have addressed the King to call the States General immediately. Of the Dukes and Peers (thirty-eight in number), nearly half are either minors or superannuated; two-thirds of the acting part seem disposed to avoid taking a part; the rest, about eight or nine, have refused, by letters to the King, to act in the new courts. A proposition excited among the Dukes and Peers, to assemble and address the King for a modification of the Plenary court, seems to show that the government would be willing to compromise on that head. It has been prevented by the Dukes and Peers in opposition, because they suppose that no modification to be made by the government will give to that body the form they desire, which is that of a representative of the nation. They foresee that if the government is forced to this, they will call them, as nearly as they can, in the ancient forms; in which case, less good will be to be expected from them. But they hope they may be got to concur in a declaration of rights, at least, so that the nation may be acknowledged to have some fundamental rights, not alterable by their ordinary legislature, and that this may form a groundwork for future improvements. These seem to be the

Digitized by Google

views of the most enlightened and disinterested characters of the opposition. But they may be frustrated by the nation's making no cry at all, or by a hasty and premature appeal to arms. There is neither head nor body in the nation to promise a successful opposition to two hundred thousand regular troops. Some think the army could not be depended on by the government; but the breaking men to military discipline, is breaking their spirits to principles of passive obedience. A firm, but quiet opposition will be the most likely to succeed. Whatever turn this crisis takes, a revolution in their constitution seems inevitable, unless foreign war supervene, to suspend the present contest. And a foreign war they will avoid, if possible, from an inability to get money. The loan of one hundred and twenty millions, of the present year, is filled up by such subscriptions as may be relied on. But that of eighty millions, proposed for the next year, cannot be filled up in the actual situation of things.

The Austrians have been successful in an attack upon Schabatz, intended as a preliminary to that of Belgrade. In that on Dubitza, another town in the neighborhood of Belgrade, they have been repulsed, and, as is suspected, with considerable loss. It is still supposed the Russian fleet will go into the Mediterranean, though it will be much retarded by the refusal of the English government, to permit its sailors to engage in the voyage. Sweden and Denmark are arming from eight to twelve ships of the

Digitized by Google

line each. The English and Dutch treaties you will find in the Leyden gazettes of May the 9th and 13th. That between England and Prussia is supposed to be stationary. Monsieur de St. Priest, the ambassador from this court to the Hague, has either gone, or is on the point of going. The Emperor of Morocco has declared war against England. I enclose you his orders in our favor on that occasion. England sends a squadron to the Mediterranean for the protection of her commerce, and she is reinforcing her possessions in the two Indies. France is expecting the arrival of an embassy from Tippoo Saib, is sending some regiments to the West Indies, and a fleet of evolution into the Atlantic. Seven ships of the line and several frigates sailed from Cadiz on the 22d of April, destined to perform evolutions off the western islands, as the Spaniards say, but really to their American possessions, as is suspected. Thus the several powers are, by little and little, taking the position of war, without an immediate intention of waging it. But that the present ill humor will finally end in war, is doubted by nobody.

In my letter of February 5th, I had the honor of informing you of the discontent produced by our *Arret* of December the 29th, among the merchants of this country, and of the deputations from the chambers of commerce to the minister on that subject. The articles attacked were the privileges on the sale of our ships, and the entrepôt for codfish. The former I knew to be valuable; the latter I supposed

Digitized by Google

not so; because during the whole of the time we have had our free ports in this kingdom, we have never used them for the smuggling of fish. I concluded, therefore, the ports of entrepôt would not be used for that purpose. I saw that the ministers would sacrifice something to quiet the merchants, and was glad to save the valuable article relative to our ships, by abandoning the useless one for our codfish. It was settled, therefore, in our conferences, that an *Arret* should be passed, abridging the former one only as to the entrepôt of codfish. I was in Holland when the *Arret* came out; and did not get a copy of it till yesterday. Surprised to find that fish oil was thereby also excluded from the entrepôt, I have been to-day to make some inquiry into the cause; and from what I can learn, I conclude it must have been a mere error in the clerk who formed the *Arret*, and that it escaped attention on its passage. The entrepôt of whale oil was not objected to by a single deputy at the conferences, and the excluding it is contrary to the spirit of encouragement the ministers have shown a disposition to give. I trust, therefore, I may get it altered on the first occasion which occurs, and I believe one will soon occur. In the meantime we do not store a single drop for reexportation, as all which comes here is needed for the consumption of this country; which will alone, according to appearances, become so considerable as to require all we can produce.

By a letter of the 8th instant, from our bankers,

Digitized by Google

I learn that they had disposed of bonds enough to pay our June interest, and to replace the temporary advances made by Mr. Grand, and from a fund placed here by the State of Virginia. I have desired them, accordingly, to replace these moneys, which had been lent for the moment only, and in confidence of immediate repayment. They add that the payment of the June interest and the news from America, will, as they trust, enable them to place the remaining bonds of the last year's million. I suppose, indeed, that there is no doubt of it, and that none would have been expressed, if those two houses could draw better together than they do. In the meantime, I hope the treasury board will send an order for so much as may be necessary for executing the purposes of Congress, as to our captives at Algiers.

I send you herewith a Memoire of Monsieur Caseaux, whose name is familiar on the journals of Congress. He prepared it to be delivered to the King, but I believe he will think better, and not deliver it. The gazettes of France and Leyden accompany this. I have the honor to be, Sir, your most obedient, and most humble servant.

P. S. *May* 27, 1788. I have kept my letter open to the moment of Mr. Warville's departure, (he being the bearer of it,) that I might add any new incidents that should occur. The refusal of the Chatelet and Grande Chambre of Paris to act in the new character assigned them, continues. Many of the *grandes*

Digitized by Google

bailliages accept, some conditionally, some fully. This will facilitate greatly the measures of government, and may possibly give them a favorable issue. The parliament of Thoulouse, considering the edicts as nullities, went on with their business. They have been exiled in consequence. Monsieur de St. Priest left Paris for the Hague, on the 23d. I mention this fact, because it denotes the acquiescence of this government in the late revolution there. A second division of a Spanish fleet will put to sea soon. Its destination not declared. Sweden is arming to a greater extent than was at first supposed. From twelve to sixteen sail of the line are spoken of, on good grounds. Denmark, for her own security, must arm in proportion to this.

TO JOHN BROWN.

PARIS, May 26, 1788.

DEAR SIR,—It was with great pleasure I saw your name on the roll of Delegates, but I did not know you had actually come on to New York, till Mr. Paradise informed me of it. Your removal from Carolina to Kentucky, was not an indifferent event to me. I wish to see that country in the hands of people well disposed, who know the value of the connection between that and the maritime States, and who wish to cultivate it. I consider their happiness as bound up together, and that every measure should be taken, which may draw the bands of union tighter. It will

Digitized by Google

be an efficacious one to receive them into Congress, as I perceive they are about to desire. If to this be added an honest and disinterested conduct in Congress, as to everything relating to them, we may hope for a perfect harmony. The navigation of the Mississippi was, perhaps, the strongest trial to which the justice of the federal government could be put. If ever they thought wrong about it, I trust they have got to rights. I should think it proper for the western country to defer pushing their right to that navigation to extremity, as long as they can do without it tolerably; but that the moment it becomes absolutely necessary for them, it will become the duty of the maritime States to push it to every extremity, to which they would their own right of navigating the Chesapeake, the Delaware, the Hudson, or any other water. A time of peace will not be the surest for obtaining this object. Those, therefore, who have influence in the new country, would act wisely to endeavor to keep things quiet till the western parts of Europe shall be engaged in war. Notwithstanding the aversion of the courts of London and Versailles to war, it is not certain that some incident may not engage them in it. England, France, Spain, Russia, Sweden and Denmark will all have fleets at sea, or ready to put to sea immediately. Who can answer for the prudence of all their officers? War is their interest. Even their courts are pacific from impotence only, not from disposition. I wish to heaven that our new govern-

Digitized by Google

ment may see the importance of putting themselves immediately into a respectable position. To make provision for the speedy payment of their foreign debts, will be the first operation necessary. This will give them credit. A concomitant one should be magazines and manufactures of arms. This country is at present in a crisis of very uncertain issue. I am in hopes it will be a favorable one to the rights and happiness of the people; and that this will take place quietly. Small changes in the late regulations will render them wholly good. The campaign opens between the Turks and the two empires, with an aspect rather favorable to the former. The Russians seem not yet thawed from the winter's torpitude. They have no army yet in motion; and the Emperor has been worsted in two-thirds of the small actions which they have had as yet. He is said to be rather retiring. I do not think, however, that the success of the Turks in the partisan affairs which have taken place, can authorize us to presume that they will be superior also in great decisions. Their want of discipline and skill in military manœuvres, is of little consequence in small engagements, and of great in larger ones. Their grand army was at Adrianople by the last accounts, and to get from thence to Belgrade, will require a month. It will be that time at least, then, before we can have any very interesting news from them. In the meantime the plague rages at Constantinople to a terrible degree. I cannot think but that it would be desir-

Digitized by Google

able to all commercial nations, to have that nation and all its dependencies driven from the sea-coast into the interior parts of Asia and Africa. What a field would thus be restored to commerce! The finest parts of the old world are now dead, in a great degree, to commerce, to arts, to science and to society. Greece, Syria, Egypt and the northern coast of Africa, constituted the whole world almost, for the Romans, and to us they are scarcely known, scarcely accessible at all. The present summer will enable us to judge what turn this contest will take. I am greatly anxious to hear that nine States accept our new constitution. We must be contented to accept of its good, and to cure what is evil in it hereafter. It seems necessary for our happiness at home; I am sure it is so for our respectability abroad. I shall, at all times, be glad to hear from you, from New York, from Kentucky, or whatever region of the earth you inhabit; being with sentiments of very sincere esteem and attachment, dear Sir, your friend and servant.

TO WILLIAM CARMICHAEL.

PARIS, May 27, 1788.

DEAR SIR,—Your favors of April the 14th and 29th, and May the 8th, have lately come to hand. That of January the 29th, by Monsieur de Molinedo, had been left here during my absence on a journey to Amsterdam. That gentleman had gone, as I pre-

Digitized by Google

sume, before my return, from my being unable to learn anything of him.

* * * * * * * * *

With respect to the Isthmus of Panama, I am assured by Burgoyne, (who would not choose to be named, however,) that a survey was made, that a canal appeared very practicable, and that the idea was suppressed for political reasons altogether. He has seen and minutely examined the report. This report is to me a vast desideratum, for reasons political and philosophical. I cannot help suspecting the Spanish squadron to be gone to South America, and that some disturbances have been excited there by the British. The court of Madrid may suppose we would not see this with an unwilling eye. This may be true as to the uninformed part of our people; but those who look into futurity farther than the present moment or age, and who combine well what is, with what is to be, must see that our interests, well understood, and our wishes are, that Spain shall (not forever, but) very long retain her possessions in that quarter; and that her views and ours must, in a good degree, and for a long time, concur. It is said in our gazettes, that the Spaniards have sunk one of our boats on the Mississippi, and that our people retaliated on one of theirs. But my letters not mentioning this fact, has made me hope it is not true, in which hope your letter confirms me. There are now one hundred thousand inhabitants in Kentucky. They have accepted the offer of independence, on

Digitized by Google

the terms proposed by Virginia, and they have decided that their independent government shall begin on the first day of the next year. In the meantime, they claim admittance into Congress. Georgia has ceded her western territory to the United States, to take place with the commencement of the new federal government. I do not know the boundaries. There has been some dispute of etiquette with the new French minister, which has disgusted him.

The following is a state of the progress and prospects of the new plan of government. * * *

The conduct of Massachusetts has been noble. She accepted the constitution, but voted that it should stand as a perpetual instruction to her Delegates, to endeavor to obtain such and such reformations; and the minority, though very strong both in numbers and abilities, declared *viritim* and *seriatim*, that acknowledging the principle that the majority must give the law, they would now support the new constitution with their tongues, and with their blood, if necessary. I was much pleased with many and essential parts of this instrument, from the beginning. But I thought I saw in it many faults, great and small. What I have read and reflected has brought me over from several of my objections of the first moment, and to acquiesce under some others. Two only remain, of essential consideration, to wit, the want of a bill of rights, and the expunging the principle of necessary rotation in the offices of Pres-

Digitized by Google

ident and Senator. At first, I wished that when nine States should have accepted the constitution, so as to insure us what is good in it, the other four might hold off till the want of the bill of rights, at least, might be supplied. But I am now convinced that the plan of Massachusetts is the best, that is, to accept, and to amend afterwards. If the States which were to decide after her, should all do the same, it is impossible but they must obtain the essential amendments. It will be more difficult, if we lose this instrument, to recover what is good in it, than to correct what is bad, after we shall have adopted it. It has, therefore, my hearty prayers, and I wait with anxiety for news of the votes of Maryland, South Carolina, and Virginia. There is no doubt that General Washington will accept the presidentship; though he is silent on the subject. He would not be chosen to the Virginia convention. A riot has taken place in New York, which I will state to you from an eye witness. It has long been a practice with the surgeons of that city, to steal from the grave bodies recently buried. A citizen had lost his wife: he went the first or second evening after her burial, to pay a visit to her grave. He found that it had been disturbed, and suspected from what quarter. He found means to be admitted to the anatomical lecture of that day, and on his entering the room, saw the body of his wife, naked and under dissection. He raised the people immediately. The body, in the meantime, was secreted. They entered

Digitized by Google

into, and searched the houses of the physicians whom they most suspected, but found nothing. One of them, however, more guilty or more timid than the rest, took asylum in the prison. The mob considered this an acknowledgment of guilt. They attacked the prison. The Governor ordered militia to protect the culprit, and suppress the mob. The militia, thinking the mob had just provocation, refused to turn out. Hereupon the people of more reflection, thinking it more dangerous that even a guilty person should be punished without the forms of law, than that he should escape, armed themselves, and went to protect the physician. They were received by the mob with a volley of stones, which wounded several of them. They hereupon fired on the mob, and killed four. By this time, they received a reinforcement of other citizens of the militia horse, the appearance of which, in the critical moment, dispersed the mob. So ended this chapter of history, which I have detailed to you, because it may be represented as a political riot, when politics had nothing to do with it. Mr. Jay and Baron Steuben were both grievously wounded in the head by stones. The former still kept his bed, and the latter his room, when the packet sailed, which was the 24th of April. I am, with sentiments of great esteem and respect, dear Sir, your most obedient, and most humble servant.

Digitized by Google

TO JOHN JAY.

(Private.) PARIS, May 27, 1788.

DEAR SIR,—The change which is likely to take place in the form of our government, seems to render it proper that during the existence of the present government, an article should be mentioned which concerns me personally. Uncertain, however, how far Congress may have decided to do business when so near the close of their administration; less capable than those on the spot of foreseeing the character of the new government; and not fully confiding in my own judgment, where it is so liable to be seduced by feeling, I take the liberty of asking your friendly counsel and that of my friend Mr. Madison, and of referring the matter to your judgments and discretion.

Mr. Barclay, when in Europe, was authorized to settle all the European accounts of the United States: he settled those of Dr. Franklin and Mr. Adams, and it was intended between us, that he should settle mine. But as what may be done at any time is often put off to the last, this settlement had been made to give way to others, and that of Beaumarchais being pressed on Mr. Barclay before his departure to Morocco, and having long retarded his departure, it was agreed that my affair should await his return from that mission; you know the circumstances which prevented his return to Paris after that mission was finished. My account is, therefore, unsettled, but I

Digitized by Google

have no anxiety on any article of it, except one, that is, the outfit. This consists of 1, clothes; 2, carriage and horses; 3, household furniture. When Congress made their first appointments of ministers to be resident in Europe, I have understood (for I was not then in Congress) that they allowed them all their expenses, and a fixed sum over and above for their time. Among their expenses, was necessarily understood their outfit. Afterwards, they thought proper to give them fixed salaries of eleven thousand one hundred and eleven dollars and one ninth, a year; and again, by a resolution of May the 6th and 8th, 1784, the "*salaries*" of their ministers at foreign courts were reduced to nine thousand dollars, to take place on the 1st of August ensuing. On the 7th of May, I was appointed, in addition to Mr. Adams and Dr. Franklin, for the negotiation of treaties of commerce; but this appointment being temporary, for two years only, and not as of a resident minister, the article of outfit did not come into question. I asked an advance of six months' salary, that I might be in cash to meet the first expenses; which was ordered. The year following, I was appointed to succeed Dr. Franklin at this court. This was the first appointment of a minister resident, since the original ones, under which all expenses were to be paid. So much of the ancient regulation, as respected *annual expenses* had been altered to a sum certain; so much of it, as respected *first expenses*, or *outfit*, remained unaltered; and I might, there-

Digitized by Google

fore, expect, that the actual expenses for outfit were to be paid. When I prepared my account for settlement with Mr. Barclay, I began a detail of the articles of clothing, carriage, horses, and household furniture. I found that they were numerous, minute, and incapable, from their nature, of being vouched; and often entered in my memorandum book under a general head only, so that I could not specify them. I found they would exceed a year's salary. Supposing, therefore, that mine being the first case, Congress would make a precedent of it, and prefer a sum fixed for the outfit as well as the salary, I have charged it in my account at a year's salary; presuming there can be no question that an outfit is a reasonable charge. It is the usage here (and I suppose at all courts), that a minister resident, shall establish his house in the first instant. If this is to be done out of his salary, he will be a twelvemonth, at least, without a copper to live on. It is the universal practice, therefore, of all nations, to allow the outfit as a separate article from the salary. I have inquired here into the usual amount of it. I find that, sometimes, the sovereign pays the actual cost. This is particularly the case of the Sardinian Ambassador now coming here, who is to provide a service of plate, and every article of furniture and other matters of first expense, to be paid for by his court. In other instances, they give a service of plate, and a fixed sum for all other articles, which fixed sum is in no case lower than a year's salary.

Digitized by Google

I desire no service of plate, having no ambition for splendor. My furniture, carriage and apparel, are all plain, yet they have cost me more than a year's salary. I suppose that in every country and in every condition of life, a year's expense would be found a moderate measure for the furniture of a man's house. It is not more certain to me, that the sun will rise to-morrow, than that our government must allow the outfit, on their future appointment of foreign ministers; and it would be hard on me, so to stand between the discontinuance of a former rule, and institution of a future one, as to have the benefit of neither. I know, I have so long known the character of our federal head, in its present form, that I have the most unlimited confidence in the justice of its decisions. I think I am so far known to many of the present Congress, as that I may be cleared of all views of making money out of any public employment, or desiring anything beyond actual and decent expenses, proportioned to the station in which they have been pleased to place me, and to the respect they would wish to see attached to it. It would seem right, that they should decide the claims of those who have acted under their administration, and their pretermission of any article, might amount to a disallowance of it, in the opinion of the new government. It would be painful to me, to meet that government with a claim under this kind of cloud, and to pass it in review before their several Houses of legislation, and boards of administration,

Digitized by Google

to whom I shall be unknown; and, being for money actually expended, it would be too inconvenient to me to relinquish it in silence. I anxiously ask it, therefore, to be decided on by Congress before they go out of office, if it be not out of the line of proceeding they may have chalked out for themselves. If it be against their inclination to determine it, would it be agreeable to them to refer it to the new government, by some resolution, which should show they have not meant to disallow it, by passing it over? Not knowing the circumstances under which Congress may exist and act at the moment you shall receive this, I am unable to judge what should be done on this subject. It is therefore that I ask the aid of your friendship and that of Mr. Madison, that you will do for me in this regard, what you think it is right should be done, and what it would be right for me to do, were I on the spot, or were I apprised of all existing circumstances. Indeed, were you two to think my claim an improper one, I would wish it to be suppressed, as I have so much confidence in your judgment, that I should suspect my own in any case, where it varied from yours, and more especially, in one where it is liable to be warped by feeling. Give me leave, then, to ask your consultation with Mr. Madison on this subject; and to assure you that whatever you are so good as to do herein, will be perfectly approved, and considered as a great obligation conferred on him, who has the honor to be, with sentiments of the most perfect esteem and attachment, dear Sir, your friend and servant.

Digitized by Google

TO COLONEL CARRINGTON.

PARIS, May 27, 1788.

DEAR SIR,—I have received with great pleasure your friendly letter of April 24th. It has come to hand after I had written my letters for the present conveyance, and just in time to add this to them. I learn with great pleasure the progress of the new Constitution. Indeed I have presumed it would gain on the public mind, as I confess it has on my own. At first, though I saw that the great mass and groundwork was good, I disliked many appendages. Reflection and discussion have cleared off most of these. You have satisfied me as to the query I had put to you about the right of direct taxation. My first wish was that nine States would adopt it in order to ensure what was good in it, and that the others might, by holding off, produce the necessary amendments. But the plan of Massachusetts is far preferable, and will, I hope, be followed by those who are yet to decide. There are two amendments only which I am anxious for: 1. A bill of rights, which it is so much the interest of all to have, that I conceive it must be yielded. The 1st amendment proposed by Massachusetts will in some degree answer this end, but not so well. It will do too much in some instances, and too little in others. It will cripple the Federal Government in some cases where it ought to be free, and not restrain in some others where restraint would be right. The 2d

Digitized by Google

amendment which appears to me essential is the restoring the principle of necessary rotation, particularly to the Senate and Presidency: but most of all to the last. Re-eligibility makes him an officer for life, and the disasters inseparable from an elective monarchy, render it preferable if we cannot tread back that step, that we should go forward and take refuge in an hereditary one. Of the correction of this article, however, I entertain no present hope, because I find it has scarcely excited an objection in America. And if it does not take place erelong, it assuredly never will. The natural progress of things is for liberty to yield and government to gain ground. As yet our spirits are free. Our jealousy is only put to sleep by the unlimited confidence we all repose in the person to whom we all look as our president. After him inferior characters may perhaps succeed, and awaken us to the danger which his merit has led us into. For the present, however, the general adoption is to be prayed for, and I wait with great anxiety for the news from Maryland and South Carolina, which have decided before this, and with that Virginia, now in session, may give the ninth vote of approbation. There could then be no doubt of North Carolina, New York, and New Hampshire. But what do you propose to do with Rhode Island as long as there is hope we should give her time? I cannot conceive but that she will come to rights in the long run. Force, in whatever form, would be a dangerous precedent.

Digitized by Google

There are rumors that the Austrian army is obliged to retire a little; that the Spanish squadron is gone to South America; that the English have excited a rebellion there; and some others equally unauthenticated. I do not mention them in my letter to Mr. Jay, because they are unauthenticated. The bankruptcies in London have re-commenced with new force. There is no saying where this fire will end, perhaps in the general conflagration of all their paper. If not now, it must erelong. With only twenty millions of coin, and three or four hundred millions of circulating paper, public and private, nothing is necessary but a general panic, produced either by failures, invasion, or any other cause, and the whole visionary fabric vanishes into air, and shows that paper is poverty, that it is only the ghost of money, and not money itself. One hundred years ago, they had twenty odd millions of coin. Since that they have brought in from Holland by borrowing forty millions more, yet they have but twenty millions left, and they talk of being rich, and of having the balance of trade in their favor. Paul Jones is invited into the Empress' service, with the rank of Rear Admiral, and to have a separate command. I wish it corresponded with the views of Congress to give him that rank from the taking of the Serapis. I look to this officer as our great future dependence on the sea, where alone we should think of ever having a force. He is young enough to see the day when we shall be more populous than the whole British domin-

Digitized by Google

ions, and able to fight them ship to ship. We should procure him, then, every possible opportunity of acquiring experience.

I have the honor to be, with sentiments of the most perfect esteem, dear Sir, your friend and servant.

TO JAMES MADISON.[1]

PARIS, May 28, 1788.

DEAR SIR,—The enclosed letter for Mr. Jay, being of a private nature, I have thought it better to put it under your cover, lest it might be opened by some of his clerks, in the case of his absence. But I enclose a press copy of it for yourself, as you will perceive the subject of it referred to you, as well as to him. I ask your aid in it so far as you think right, and to have done what you think right. If you will now be so good as to cast your eye over the copy enclosed, what follows the present sentence, will be some details, supplementary to that only, necessary for your information, but not proper for me to state to Mr. Jay.

378,227,1247. though appointed a minister resident at the court of 514. he never was 663. in that character. He was continually passing from 1042. to 514. and 514. to 1042. so that he had no occasion

[1 It will be seen that a few words of this letter are in cypher. It is published, however, as written, because enough of it is literal to interest the reader, to whom also, a specimen of the cypher used by the Author, may not be unacceptable.]

Digitized by Google

to establish a household at either. Accordingly, he stayed principally in furnished lodgings. Of all our ministers, he had the least occasion for an outfit, and I suppose, spent almost nothing on that article. He was of a disposition, too, to restrain himself within any limits of expense whatever, and it suited his recluse turn, which is, to avoid society. Should he judge of what others should do, by what he did, it would be an improper criterion. He was in Europe as a *voyageur* only, and it was while the salary was five hundred guineas more than at present.

145.1267.1046.7. he came over when, instead of outfit and salary, all expenses were paid. Of rigorous honesty, and careless of appearances, he lived for a considerable time, as an economical private individual. After he was fixed at 812.141. and the salary at a sum certain, he continued his economical style, till out of the difference between his expenses and his salary, he could purchase furniture for his house. This was the easier, as the salary was at two thousand five hundred guineas then. He was obliged too, to be passing between 1042. and 812.141. so as to avoid any regular current of expenses. When he established himself, his pecuniary affairs were under the direction of 964.814.7.101.994. one of the most estimable characters on earth, and the most attentive and honorable economists. Neither had a wish to lay up a copper, but both wished to make both ends meet. I suspected, however, from an expression dropped in conversation, that they were

Digitized by Google

not able to do this, and that a deficit in their accounts appeared in their winding up. If this conjecture be true, it is a proof that the salary, so far from admitting savings, is unequal to a very plain style of life; for such was theirs. I presume Congress will be asked to allow it, and it is evident to me, from what I saw while in 1093. that it ought to be done, as they did not expend a shilling which should have been avoided. Would it be more eligible to set the example of making good a deficit, or to give him an outfit, which will cover it? The impossibility of living on the sum allowed, respectably, was the true cause of his insisting on his recall.

821.267.1292. He came over while all expenses were paid. He rented a house with standing furniture, such as tables, chairs, presses, etc., and bought all other necessaries. The latter were charged in his account, the former was included in the article of house-rent, and paid during the whole time of his stay here; and as the established rate of hire for furniture, is from thirty to forty per cent. per annum, the standing furniture must have been paid for three times over, during the eight years he stayed here. His salary was two thousand five hundred guineas. When Congress reduced it to less than two thousand, he refused to accede to it, asked his recall, and insisted that whenever they chose to alter the conditions on which he came out, if he did not approve of it, they ought to replace him in America on the old conditions. He lived plainly, but as

Digitized by Google

decently as his salary would allow. He saved nothing, but avoided debt. He knew he could not do this on the reduced salary, and therefore asked his recall with decision.

To 935.145. succeeded. He had established a certain style of living. The same was expected from 1214. and there were five hundred guineas a year less, to do it on. It has been aimed at, however, as far as was practicable. This rendered it constantly necessary to step neither to the right nor to the left, to incur any expense which could possibly be avoided, and it called for an almost womanly attention to the details of the household, equally perplexing, disgusting, and inconsistent with business. You will be sensible, that in this situation, no savings could be made for reimbursing the half year's salary, ordered to be advanced under the former commission, and more than as much again, which was unavoidably so applied without order, for the purchase of the outfit. The reason of the thing, the usage of all nations, the usage of our own, by paying all expenses of preceding ministers, which gave them the outfit, as far as their circumstances appeared to them to render it necessary, have made me take for granted all along, that it would not be refused to me; nor should I have mentioned it now, but that the administration is passing into other hands, and more complicated forms. It would be disagreeable to me, to be presented to them in the first instance, as a suitor. Men come into business

Digitized by Google

at first, with visionary principles. It is practice alone, which can correct and conform them to the actual current of affairs. In the meantime, those to whom their errors were first applied, have been their victims. The government may take up the project of appointing foreign ministers without outfits, and they may ruin two or three individuals, before they find that that article is just as indispensable as the salary. They must then fall into the current of general usage, which has become general, only because experience has established its necessity. Upon the whole, be so good as to reflect on it, and to do, not what your friendship to me, but your opinion of what is right shall dictate. Accept, in all cases, assurances of the sincere esteem and respect with which I am, dear Sir, your friend and servant.

TO PETER CARR.

PARIS, May 28, 1788.

DEAR PETER,—The preceding letter[1] was written at its date, and I supposed you in possession of it, when your letters of December the 10th, 1787, and March the 18th, 1788, told me otherwise. Still, I supposed it on its way to you, when a few days ago, having occasion to look among some papers in the drawer, where my letters are usually put away, till an opportunity of sending them occurs, I found that this letter had slipped among them, so that it had

[1 For the letter referred to, see ante, vol. VI. p. 256.]

Digitized by Google

never been forwarded. I am sorry for it, on account of the remarks relative to the Spanish language only. Apply to that, with all the assiduity you can. That language and the English covering nearly the whole face of America, they should be well known to every inhabitant, who means to look beyond the limits of his farm. I like well the distribution of your time, mentioned in your letter of March the 18th; and the counsels of Mr. Wythe, so kindly extended to you, leave it necessary for me to add nothing of that kind. Be assiduous in learning, take much exercise for your health, and practice much virtue. Health, learning and virtue, will insure your happiness; they will give you a quiet conscience, private esteem and public honor. Beyond these, we want nothing but physical necessaries, and they are easily obtained. My daughters are well, and join me in love to yourself, your mother, brothers and sisters. I am, with very sincere esteem, dear Peter, your affectionate friend.

TO THE COMTE DE BERNSTORFF.

PARIS, June 19, 1788.

I had the honor of addressing your Excellency, by Admiral Paul Jones, on the 21st of January, on the subject of the prizes taken under his command during the late war, and sent into Bergen. I communicated, at the same time, a copy of the powers which the Congress of the United States of America

Digitized by Google

had been pleased to confide to me therein, having previously shown the original to the Baron Blome, envoy extraordinary of his Majesty, the King of Denmark, at this court; and I furnished, at the same time, to Admiral Paul Jones, such authority as I was empowered to delegate, for the arrangement of this affair. That officer has transmitted me a copy of your Excellency's letter to him, of the 4th of April, wherein you are pleased to observe, that the want of full powers on his part was an invincible obstacle to the definitive discussion of this claim with him, and to express your dispositions to institute a settlement at this place. Always assured of the justice and honor of the court of Denmark, and encouraged by the particular readiness of your Excellency to settle and remove this difficulty from between the two nations, I take the liberty of recalling your attention to it. The place of negotiation proposed by your Excellency, meets no objection from us, and it removes, at the same time, that which the want of full powers in Admiral Paul Jones, had produced in your mind. These full powers, Congress have been pleased to honor me with. The arrangement taken between the person to be charged with your full powers, and myself, will be final and conclusive. You are pleased to express a willingness to treat at the same time, on the subjects of amity and commerce. The powers formerly communicated on our part, were given to Mr. Adams, Dr. Franklin, and myself, for a limited term only. That

Digitized by Google

term has expired, and the other two gentlemen returned to America; so that no person is commissioned at this moment, to renew those conferences. I may safely, however, assure your Excellency, that the same friendly dispositions still continue, and the same desire of facilitating and encouraging a commerce between the two nations, which produced the former appointment. But our nation is, at this time, proposing a change in the organization of its government. For this change to be agreed to by all the members of the Union, the new administration chosen and brought into activity, their domestic matters arranged, which will require their first attention, their foreign system afterwards decided on and carried into full execution, will require very considerable length of time. To place under the same delay, the private claims which I have the honor to present to your Excellency, would be hard on the persons interested; because these claims have no connection with the system of commercial connection, which may be established between the two nations, nor with the particular form of our administration. The justice due to them is complete, and the present administration as competent to final settlement as any future one will be, should a future change take place. These individuals have already lingered nine years, in expectation of their hard and perilous earnings. Time lessens their numbers continually, disperses their representatives, weakens the evidence of their right, and renders more and

Digitized by Google

more impracticable, his majesty's dispositions to repair the private injury, to which public circumstances constrained him. These considerations, the just and honorable intentions of your Excellency, and the assurances you give us in your letter, that no delay is wished on your part, give me strong hopes that we may speedily obtain that final arrangement, which express instructions render it my duty to urge. I have the honor, therefore, of agreeing with your Excellency, that the settlement of this matter, formerly begun at Paris, shall be continued there; and to ask that you will be pleased to give powers and instructions for this purpose, to such persons as you shall think proper, and in such full form as may prevent those delays, to which the distance between Copenhagen and Paris might otherwise expose us.

I have the honor to be, with sentiments of the most profound respect, your Excellency's most obedient, and most humble servant.

TO MR. THOMAS DIGGES.

PARIS, June 19, 1788.

SIR,—I have duly received your favor of May 12, as well as that of the person who desires information on the state of cotton manufactures in America, and for his interest and safety I beg leave to address to you the answer to his queries.

In general, it is impossible that manufactures should succeed in America, from the high price of

Digitized by Google

labor. This is occasioned by the great demand of labor for agriculture. A manufacturer going from Europe will turn to labor of other kinds if he finds more to be got by it, and he finds some employment so profitable, that he can soon lay up money enough to buy fifty acres of land, to the culture of which he is irresistibly tempted by the independence in which that places him, and the desire of having a wife and family around him. If any manufactures can succeed there, it will be that of cotton. I must observe for his information that this plant grows nowhere in the United States northward of the Potomac, and not in quantity till you get southward as far as York and James Rivers. I know nothing of the manufacture which is said to be set up at Richmond. It must have taken place since 1783, when I left Virginia. In that State (for it is the only one I am enabled to speak of with certainty) there is no manufacture of wire or of cotton cards; or if any, it is not worth notice. No manufacture of stocking-weaving, consequently none for making the machine; none of cotton clothing of any kind whatever for sale; though in almost every family some is manufactured for the use of the family, which is always good in quality, and often tolerably fine. In the same way they make excellent stockings of cotton, weaving it in like manner, carried on principally in the family way: among the poor, the wife weaves generally; and the rich either have a weaver among their servants or employ their poor neighbors. Cotton cost in Virginia

Digitized by Google

from 12*d.* to 18*d.* sterling the pound before the war, probably it is a little raised since. Richmond is as good a place for a manufactory as any in that State, and perhaps the best as to its resources for this business. Cotton clothing is very much the taste of the country. A manufacturer, on his landing, should apply to the well-informed farmers and gentlemen of the country. Their information will be more disinterested than that of merchants, and they can better put him into the way of disposing of his workmen in the cheapest manner till he has time to look about him and decide how and where he will establish himself. Such is the hospitality in that country, and their disposition to assist strangers, that he may boldly go to any good house he sees, and make the inquiry he needs. He will be sure to be kindly received, honestly informed, and accommodated in an hospitable way, without any other introduction than an information who he is and what are his views. It is not the policy of the government in that country to give any aid to works of any kind. They let things take their natural course without help or impediment, which is generally the best policy. More particularly as to myself, I must say that I have not the authority nor the means of assisting any persons in their passage to that country. I have the honor to be, with sentiments of perfect esteem, Sir, your most obedient, and most humble servant.

Digitized by Google

TO MR. RUTLEDGE.

PARIS, January 19, 1788.

DEAR SIR,—Having omitted to ask you how I should address letters to you, I am obliged to put the present under cover to Mr. Shippen, to the care of his banker at Amsterdam. Enclosed you will receive a letter lately come to my hands, as also such notes as I have been able to scribble very hastily and undigested. I am ashamed of them; but I will pay willingly that price, if they may, on a single occasion, be useful to you. I will at some future moment find time to write the letters for Frankfort, Florence, Milan, Nice and Marseilles, which those notes will point out, and lodge them on your route, if you will be so good as to keep me always informed how and where I must send letters to you. I would suggest an alteration in the route I had proposed to you; that is, to descend the Danube from Vienna, so as to go to Constantinople, and from thence to Naples and up Italy. This must depend on your time, and the information you may be able to get as to the safety with which you may pass through the Ottoman territories. It is believed the Emperor is making overtures for peace. Should this take place it would lessen the difficulties of such a tour. In the meantime, this gleam of peace is counterbalanced by the warlike preparations of Sweden and Denmark, known to be made under the suggestions of the Court of London. In this country there is great internal

Digitized by Google

ferment. I am of opinion the new regulations will be maintained. Perhaps the Cour plénière may be amended in its composition, and the States General called at an earlier period than was intended. We have no accounts yet of the decision of Maryland, South Carolina, or Virginia on the subject of the new Constitution. Yet it seems probable they will accept it in the same manner Massachusetts has done; and I see nothing improbable in the supposition that our new government may be in motion by the beginning of November. I must press on you, my dear Sir, a very particular attention to the climate and culture of the olive tree. This is the most interesting plant in existence for South Carolina and Georgia. You will see in various places that it gives being to whole villages in places where there is not soil enough to subsist a family by the means of any other culture. But consider it as the means of bettering the condition of your slaves in South Carolina. See in the poorer parts of France and Italy what a number of vegetables are rendered eatable by the aid of a little oil, which would otherwise be useless. Remark very particularly the northern limits of this tree, and whether it exists by the help of shelter from the mountains, etc. I know this is the case in France. I wish to know where the northern limit of this plant crosses the Apennines; where it crosses the Adriatic and the Archipelago, and if possible what course it takes through Asia. The fig, the dried raisin, the pistache, the date, the caper, are all very interesting

Digitized by Google

objects for your study. Should you not in your passage through countries where they are cultivated inform yourself of their hardiness, their culture, the manner of transporting, etc., you might hereafter much repent it. Both then and now I hope you will excuse me for suggesting them to your attention; not omitting the article of rice also, of which you will see species different from your own. I beg you to make use of me on all possible occasions and in all the ways in which I can serve you, not omitting that of money, should any disappointment take place in your own arrangements. Mr. Berard's money was paid to Bayoker & Co. as you desired. I have the honor to be, with very great esteem, dear Sir, your most obedient, and most humble servant.

TO T. LEE SHIPPEN, ESQ.

PARIS, June 19, 1788.

DEAR SIR,—I have been honored with your favor of May 20, and take the first possible moment of acknowledging it, and of enclosing such notes as my recollection has suggested to me might be of service to you on your route. They have been scribbled so hastily and so informally that I would not send them, did not a desire of accommodating yourself and Mr. Rutledge get the better of my self-love. You will have seen in the Leyden gazette the principal articles of intelligence received from America since you left us, and which I have furnished to Mr. Dumas for that

Digitized by Google

paper. The account of the riot in New York was given me by Mr. Paradise, who was there at the time, and who with his lady is now here. You may, perhaps, meet them at Venice. Mr. Jay and Baron Steuben were wounded with stones in that riot. General Washington writes me word he thinks Virginia will accept of the new Constitution. It appears to me, in fact, from all information, that its rejection would drive the States to despair and bring on events which cannot be foreseen; and that its adoption is become absolutely necessary. It will be easier to get the assent of nine States to correct what is wrong in the way pointed out by the Constitution itself, than to get thirteen to concur in a new convention and another plan of confederation. I therefore sincerely pray that the remaining States may accept it, as Massachusetts has done, with standing instructions to their delegates to press for amendments till they are obtained. They cannot fail of being obtained when the delegates of eight States shall be under such perpetual instructions. The American newspapers say that the Spaniards have sunk one of our boats on the Mississippi, and we one of theirs, by way of reprisal. The silence of my letters on the subject makes me hope it is not true. Be so good as to keep me constantly furnished with your address. I will take the first moment I can to write letters for you to Baron Leimer for Frankfort, Febroni at Florence, the Count del Verme and Clerici at Milan, Sasserns at Nice, Cathalan at Marseilles, which at this

Digitized by Google

time it is impossible for me to do. I beg you to make on all occasions all the use of me of which I am susceptible, and in any way in which your occasions may require, and to be assured of the sentiments of sincere esteem and attachment with which I have the honor to be, dear Sir, your most obedient, and most humble servant.

TO THE COUNT DE MONTMORIN.

PARIS, June 20, 1788.

SIR,—Having had the honor of mentioning to your Excellency the wish of Congress that certain changes should be made in the articles for a consular convention, which had been sent to them, I have now that, conformably to the desire you expressed, of giving a general idea of the alterations to be proposed.

The fourth article gives to the consuls the immunities of the law of nations. It has been understood, however, that the laws of France do not admit of this; and that it might be desirable to expunge this article. In this we are ready to concur, as in every other case where an article might call for changes in the established laws, either inconvenient or disagreeable.

After establishing in favor of consuls, the general immunities of the law of nations, one consequence of which would have been, that they could not have been called upon to give testimony in courts of justice, the fifth article requires that after the observ-

Digitized by Google

ance of certain formalities, which imply very high respect, they shall make a declaration; but *in their own houses* [chez eux] as may be pretended, if not justly inferred, from the expressions in the articles. But our laws require, indispensably, a personal examination of witnesses in the presence of the parties, of their counsel, the jury and judges, each of whom has a right to ask of them all questions pertinent to the fact. The first and highest officers of our government are obliged to appear personally to the order of a court to give evidence. The court takes care that they are treated with respect. It is proposed, therefore, to omit this article for these particular reasons, as well as for the general one, that the fourth being expunged, this, which was but an exception to that, falls of course.

The seventh, eighth, tenth and fourteenth articles extend their pre-eminences far beyond those which the laws of nations would have given. These articles require that the declarations made in the presence of consuls, and certified by them, shall be received in evidence in all courts whatever; and in some instances give to their certificates a credibility which excludes all other testimony. The cases are rare in which our laws admit written evidence of facts; and such evidence, when admitted, must have been given in the presence of both parties, and must contain the answers to all the pertinent questions which they may have desired to ask of the witness; and to no evidence, of whatever nature, written or oral, do our

Digitized by Google

laws give so high credit, as to exclude all counter-proof. These principles are of such ancient foundation in our system of jurisprudence, and are so much valued and venerated by our citizens, that perhaps it would be impossible to execute articles which should contravene them, nor is it imagined that these stipulations can be so interesting to this country, as to balance the inconvenience and hazard of such an innovation with us. Perhaps it might be found, that the laws of both countries require a modification of this article; as it is inconceivable that the certificate of an American consul in France could be permitted by one of its courts to establish a fact, the falsehood of which should be notorious to the court itself.

The eighth article gives to the consuls of either nation a jurisdiction, in certain cases, over foreigners of any other. On a dispute arising in France, between an American and a Spaniard or an Englishman, it would not be fair to abandon the Spaniard or Englishman to an American consul. On the contrary, the territorial judge, as neutral, would seem to be the most impartial. Probably, therefore, it will be thought convenient for both parties to correct this stipulation.

A dispute arising between two subjects of France, the one being in France, and the other in the United States, the regular tribunals of France would seem entitled to a preference of jurisdiction. Yet the twelfth article gives it to their consul in America;

Digitized by Google

and to the consul of the United States in France, in a like case between their citizens.

The power given by the tenth article, of arresting and sending back a vessel, its captain, and crew, is a very great one indeed, and, in our opinion, more safely lodged with the territorial judge. We would ourselves trust the tribunals of France to decide when there is just cause for so high-handed an act of authority over the persons and property of so many of our citizens, to all of whom these tribunals will stand in a neutral and impartial relation, rather than any single person whom we may appoint as consul, who will seldom be learned in the laws, and often susceptible of influence from private interest and personal pique. With us, applications for the arrest of vessels, and of their masters, are made to the admiralty courts. These are composed of the most learned and virtuous characters of the several States, and the maritime law common to all nations, is the rule of their proceedings. The exercise of foreign jurisdiction, within the pale of their own laws, in a very high case, and wherein those laws have made honorable provisions, would be a phenomenon never yet seen in our country, and which would be seen with great jealousy and uneasiness. On the contrary, to leave this power with the territorial judge, will inspire confidence and friendship, and be really, at the same time, more secure against abuse. The power of arresting deserted seamen seems necessary for the purposes of navigation and

Digitized by Google

commerce, and will be more attentively and effectually exercised by the consul, than by the territorial judge. To this part of the tenth article, therefore, as well as to that which requires the territorial judge to assist the consul in the exercise of this function, we can accede. But the extension of the like power to passengers, seems not necessary for the purposes either of navigation or commerce. It does not come, therefore, within the functions of the consul, whose institution is for those two objects only, nor within the powers of a commissioner, authorized to treat and conclude a convention, solely for regulating the powers, privileges, and duties of consuls. The arrest and detention of passengers, moreover, would often be in contradiction to our bills of rights, which being fundamental, cannot be obstructed in their operation by any law or convention whatever.

Consular institutions being entirely new with us, Congress think it wise to make their first convention probationary, and not perpetual. They propose, therefore, a clause for limiting its duration to a certain term of years. If after the experience of a few years, it should be found to answer the purposes intended by it, both parties will have sufficient inducements to renew it, either in its present form, or with such alterations and amendments as time, experience, and other circumstances may indicate.

The convention, as expressed in the French language, will fully answer our purposes in France,

Digitized by Google

because it will there be understood. But it will not equally answer the purposes of France in America, because it will not there be understood. In very few of the courts wherein it may be presented, will there be found a single judge or advocate capable of translating it at all, much less of giving to all its terms, legal and technical, their exact equivalent in the laws and language of that country. Should any translation which Congress would undertake to publish, for the use of our courts, be conceived on any occasion not to render fully the idea of the French original, it might be imputed as an indirect attempt to abridge or extend the terms of a contract, at the will of one party only. At no place are there better helps than here, for establishing an English text equivalent to the French, in all its phrases; no person can be supposed to know what is meant by these phrases better than those who form them; and no time more proper to ascertain their meaning in both languages, than that at which they are formed. I have, therefore, the honor to propose, that the convention shall be faithfully expressed in English as well as in French, in two columns, side by side, that these columns be declared each of them to be text, and to be equally original and authentic in all courts of justice.

This, Sir, is a general sketch of the alterations which our laws and our manner of thinking render necessary in this convention, before the faith of our country is engaged for its execution. Some of its

Digitized by Google

articles, in their present form, could not be executed at all, and others would produce embarrassments and ill humor, to which it would not be prudent for our government to commit itself. Inexact execution on the one part, would naturally beget dissatisfaction and complaints on the other, and an instrument intended to strengthen our connection, might thus become the means of loosening it. Fewer articles, better observed, will better promote our common interests. As to ourselves, we do not find the institution of consuls very necessary. Its history commences in times of barbarism, and might well have ended with them. During these, they were perhaps useful, and may still be so, in countries, not yet emerged from that condition. But all civilized nations at this day, understand so well the advantages of commerce, that they provide protection and encouragement for merchant strangers and vessels coming among them. So extensive, too, have commercial connections now become, that every mercantile house has correspondents in almost every port. They address their vessels to these correspondents, who are found to take better care of their interests, and to obtain more effectually the protection of the laws of the country for them, than the consul of their nation can. He is generally a foreigner, unpossessed of the little details of knowledge of greatest use to them. He makes national questions of all the difficulties which arise; the correspondent prevents them. We carry on commerce

Digitized by Google

with good success in all parts of the world; yet we have not a consul in a single port, nor a complaint for the want of one, except from the persons who wish to be consuls themselves. Though these considerations may not be strong enough to establish the absolute inutility of consuls, they may make us less anxious to extend their privileges and jurisdictions, so as to render them objects of jealousy and irritation in the places of their residence. That this government thinks them useful, is sufficient reason for us to give them all the functions and facilities which our circumstances will admit. Instead, therefore, of declining every article which will be useless to us, we accede to every one which will not be inconvenient. Had this nation been alone concerned, our desire to gratify them, might have tempted us to press still harder on the laws and opinions of our country. But your Excellency knows, that we stand engaged in treaties with some nations, which will give them occasion to claim whatever privileges we yield to any other. This renders circumspection more necessary. Permit me to add one other observation. The English allow to foreign consuls scarcely any functions within their ports. This proceeds, in a great measure, from the character of their laws, which eye with peculiar jealousy every exemption from their control. Ours are the same in their general character, and rendered still more unpliant, by our having thirteen parliaments to relax, instead of one. Upon the

Digitized by Google

whole, I hope your Excellency will see the causes of the delay which this convention has met with, in the difficulties it presents, and our desire to surmount them; and will be sensible that the alterations proposed, are dictated to us by the necessity of our circumstances, and by a caution, which cannot be disapproved, to commit ourselves to no engagements which we foresee we might not be able to fulfil.

These alterations, with some other smaller ones, which may be offered on the sole principle of joint convenience, shall be the subject of more particular explanation, whenever your Excellency shall honor me with a conference thereon. I shall then also point out the verbal changes which appear to me necessary, to accommodate the instrument to the views before expressed. In the meantime, I have the honor to be, with sentiments of the most perfect respect and esteem, your Excellency's most obedient, and most humble servant.

TO —— ——.

PARIS, June 28, 1788.

SIR,— * * * * * * * *

A treaty of alliance between England and Prussia was signed on the 13th instant. Sweden is believed to have given out a declaration of the reasons of her arming, which has very much the air of a declaration of war against Russia. We have not yet seen it here. It would not be unexpected to hear that she has

Digitized by Google

commenced hostilities. She is subsidized by England, and if she does begin a war, we must believe it to be on the instigation of England, with a view to bring on a general war. This power, with Denmark and Holland, ranging themselves on the side of England, destroys the equilibrium of power at sea, which we had hoped was established. I am, with great esteem, Sir, your most obedient humble servant.

TO CAPTAIN DIRCKS.

PARIS, July 2, 1788.

SIR,—As a private individual and citizen of America, I can with propriety and truth deliver it to you as my firm belief, that the loan office certificate you showed me, and all others of the same kind, will be paid, principal and interest, as soon as the circumstances of the United States will permit: that I do not consider this as a distant epoch, nor suppose there is a public debt on earth less doubtful. This I speak as my private opinion. But it does not belong to me to say that it will be paid in two years, or that it will be paid at all, so as by the authority of my affirmation to give it any new sanction or credit. The board of treasury or Congress can alone do this. You will be sensible, therefore, Sir, of the impropriety, and even the hazard, of my going out of the line of my office so far as to undertake, or to aver, that these certificates will be paid within one or two years. On every occasion where I can do it of right, I

Digitized by Google

shall be happy to render you every possible service, being with sentiments of the most perfect esteem, Sir, your most obedient humble servant.

TO T. L. SHIPPEN, ESQ.

PARIS, July 13, 1788.

DEAR SIR,—In a former letter to Mr. Rutledge, I suggested to him the idea of extending his tour to Constantinople, and in one of to-day, I mention it again. I do not know how far that extension may accord with your plan, nor indeed how far it may be safe for either of you; for, though it has been thought there has been a relaxation in the warlike dispositions of the belligerent powers, yet we have no symptoms of a suspension of hostilities. The Ottoman dominions are generally represented as unsafe for travellers, even when in peace. They must be much more so during war. This article, therefore, merits exact inquiry before that journey is undertaken.

We have letters from America to June 11. Maryland has acceded to the Constitution by a vote of 63 to 11, and South Carolina by 149 to 72. Mr. Henry had disseminated propositions there for a Southern confederacy. It is now thought that Virginia will not hesitate to accede. Governor Randolph has come over to the Federalists. No doubt is entertained of New Hampshire and North Carolina, and it is thought that even New York will agree when

Digitized by Google

she sees she will be left with Rhode Island alone. Two-thirds of their Convention are decidedly anti-federal. The die is now thrown, and it cannot be many days before we know what has finally turned up. Congress has granted the prayer of Kentucky to be made independent, and a committee was occupied in preparing an act for that purpose. Mr. Barlow, the American poet, is arrived in Paris.

We expect daily to hear that the Swedes have commenced hostilities. Whether this will draw in the other nations of Europe immediately, cannot be foreseen; probably it will in the long run. I sincerely wish this country may be able previously to arrange its internal affairs. To spare the trouble of repetition, I am obliged to ask of yourself and Mr. Rutledge, to consider the letter of each as a supplement to the other. Under the possibility, however, of your going different routes, I enclose duplicates of my letters of introduction. After acknowledging the receipt of your favor of the 6th inst., from Spa, I shall only beg a continuance of them, and that you will both keep me constantly informed how to convey letters to you: and to assure you of those sentiments of sincere esteem with which I have the honor to be, dear Sir, your friend and servant.

Digitized by Google

TO DOCTOR GORDON.

PARIS, July 16, 1788.

SIR,—In your favor of the 8th instant, you mentioned that you had written to me in February last. This letter never came to hand. That of April the 24th, came here during my absence on a journey through Holland and Germany; and my having been obliged to devote the first moments after my return, to some very pressing matters, must be my apology for not having been able to write to you till now. As soon as I knew that it would be agreeable to you, to have such a disposal of your work for translation, as I had made for Dr. Ramsay, I applied to the same bookseller with propositions on your behalf. He told me, that he had lost so much by that work, that he could hardly think of undertaking another, and at any rate, not without first seeing and examining it. As he was the only bookseller I could induce to give anything on the former occasion, I went to no other with my proposal, meaning to ask you to send me immediately as much of the work as is printed. This you can do by the Diligence, which comes three times a week from London to Paris. Furnished with this, I will renew my proposition, and do the best for you I can; though I fear that the ill success of the translation of Dr. Ramsay's work, and of another work on the subject of America, will permit less to be done for you than I had hoped. I think Dr. Ramsay failed from the inelegance of the translation, and the

Digitized by Google

translator's having departed entirely from the Doctor's instructions. I will be obliged to you, to set me down as a subscriber for half a dozen copies, and to ask Mr. Trumbull (No. 2, North street, Rathbone Place) to pay you the whole subscription price for me, which he will do on showing him this letter. These copies can be sent by the Diligence. I have not yet received the pictures Mr. Trumbull was to send me, nor consequently that of M. de La Fayette. I will take care of it when it arrives. His title is simply, *le Marquis de La Fayette.*

You ask, in your letter of April the 24th, details of my sufferings by Colonel Tarleton. I did not suffer by him. On the contrary, he behaved very genteelly with me. On his approach to Charlottesville, which is within three miles of my house at Monticello, he despatched a troop of his horse, under Captain McLeod, with the double object of taking me prisoner, with the two Speakers of the Senate and Delegates, who then lodged with me, and of remaining there in *vidette*, my house commanding a view of ten or twelve miles round about. He gave strict orders to Captain McLeod to suffer nothing to be injured. The troop failed in one of their objects, as we had notice of their coming, so that the two Speakers had gone off about two hours before their arrival at Monticello, and myself, with my family, about five minutes. But Captain McLeod preserved everything with sacred care, during about eighteen hours that he remained there. Colonel Tarleton

Digitized by Google

was just so long at Charlottesville, being hurried from thence by the news of the rising of the militia, and by a sudden fall of rain, which threatened to swell the river, and intercept his return. In general, he did little injury to the inhabitants, on that short and hasty excursion, which was of about sixty miles from their main army, then in Spottsylvania, and ours in Orange. It was early in June, 1781. Lord Cornwallis then proceeded to the Point of Fork, and encamped his army from thence all along the main James River, to a seat of mine called Elk-hill, opposite to Elk Island, and a little below the mouth of the Byrd Creek. (You will see all these places exactly laid down in the map annexed to my notes on Virginia, printed by Stockdale.) He remained in this position ten days, his own head quarters being in my house, at that place. I had time to remove most of the effects out of the house. He destroyed all my growing crops of corn and tobacco; he burned all my barns, containing the same articles of the last year, having first taken what corn he wanted; he used, as was to be expected, all my stock of cattle, sheep and hogs, for the sustenance of his army, and carried off all the horses capable of service; of those too young for service he cut the throats; and he burned all the fences on the plantation, so as to leave it an absolute waste. He carried off also about thirty slaves. Had this been to give them freedom, he would have done right; but it was to consign them to inevitable death from the small pox and

Digitized by Google

putrid fever, then raging in his camp. This I knew afterwards to be the fate of twenty-seven of them. I never had news of the remaining three, but presume they shared the same fate. When I say that Lord Cornwallis did all this, I do not mean that he carried about the torch in his own hands, but that it was all done under his eye; the situation of the house in which he was, commanding a view of every part of the plantation, so that he must have seen every fire. I relate these things on my own knowledge, in a great degree, as I was on the ground soon after he left it. He treated the rest of the neighborhood somewhat in the same style, but not with that spirit of total extermination with which he seemed to rage over my possessions. Wherever he went, the dwelling houses were plundered of everything which could be carried off. Lord Cornwallis' character in England, would forbid the belief that he shared in the plunder; but that his table was served with the plate thus pillaged from private houses, can be proved by many hundred eye-witnesses. From an estimate I made at that time, on the best information I could collect, I supposed the State of Virginia lost, under Lord Cornwallis' hands, that year, about thirty thousand slaves; and that of these, about twenty-seven thousand died of the small pox and camp fever, and the rest were partly sent to the West Indies, and exchanged for rum, sugar, coffee and fruit, and partly sent to New York, from whence they went, at the peace, either to Nova Scotia or

Digitized by Google

England. From this last place, I believe they have been lately sent to Africa. History will never relate the horrors committed by the British army in the *southern* States of America. They raged in Virginia six months only, from the middle of April to the middle of October, 1781, when they were all taken prisoners; and I give you a faithful specimen of their transactions for ten days of that time, and on one spot only. *Ex pede Herculem.* I suppose their whole devastations during those six months, amounted to about three millions sterling. The copiousness of this subject has only left me space to assure you of the sentiments of esteem and respect, with which I am, Sir, your most obedient humble servant.

TO MR. IZARD.

PARIS, July 17, 1788.

DEAR SIR, * * * * * * *

I cannot but approve your idea of sending your eldest son, destined for the law, to Williamsburg. The professor of Mathematics and Natural Philosophy there, (Mr. Madison, cousin of him whom you know,) is a man of great abilities, and their apparatus is a very fine one. Mr. Ballini, professor of Modern Language, is also an excellent one. But the pride of the Institution is Mr. Wythe, one of the Chancellors of the State, and professor of law in the College. He is one of the greatest men of the age, hav-

Digitized by Google

ing held without competition the first place at the bar of our general court for twenty-five years, and always distinguished by the most spotless virtue. He gives lectures regularly, and holds moot courts and parliaments wherein he presides, and the young men debate regularly in law and legislation, learn the rules of parliamentary proceeding, and acquire the habit of public speaking. Williamsburg is a remarkably healthy situation, reasonably cheap, and affords very genteel society. I know no place *in the world*, while the *present professors remain*, where I would so soon place a son.

I have made the necessary inquiries relative to a school for your second son. There are only two here for the line of engineering. I send the prospectus of the best, which is so particular in its details as to enable you to judge for yourself on every point. I will add some observations. I have never thought a boy should undertake abstruse or difficult sciences, such as Mathematics in general, till fifteen years of age at soonest. Before that time they are best employed in learning the languages which is merely a matter of memory. The languages are badly taught here. If you propose he should learn the Latin, perhaps you will prefer the having him taught it in America, and of course, to retain him there two or three years more. At that age, he will be less liable to lose his native language, and be more able to resist the attempts to change his religion. Probably three or four years here would suffice for the theory of engi-

Digitized by Google

neering, which would leave him still time enough to see something of the practice either by land or sea, as he should choose, and to return home at a ripe age. Decide on all these points as you think best, and make what use of me in it you please. Whenever you choose to send him, if I am here, and you think proper to accept my services towards him, they shall be bestowed with the same zeal as if he were my own son.

The war in Europe threatens to spread. Sweden, we suppose, has commenced hostilities against Russia, though we do not yet certainly know it. I have hoped this country would settle her internal disputes advantageously and without bloodshed. As yet none has been spilt, though the British newspapers give the idea of a general civil war. Hitherto, I had supposed both the King and parliament would lose authority, and the nation gain it, through the medium of its States General and provincial Assemblies, but the arrest of the deputies of Bretagne two days ago, may kindle a civil war. Its issue will depend on two questions. 1. Will other provinces rise? 2. How will the army conduct itself? A stranger cannot predetermine these questions. Happy for us that abuses have not yet become patrimonies, and that every description of interest is in favor of national and moderate government. That we are yet able to send our wise and good men together to talk over our form of government, discuss its weaknesses and establish its reme-

Digitized by Google

dies with the same *sang-froid* as they would a subject of agriculture. The example we have given to the world is single, that of changing our form of government under the authority of reason only, without bloodshed.

I enclose herein a letter from Count Sarsfield to Mrs. Izard, to whom I beg to present my respects. I am, with great sincerity, dear Sir, your friend and servant.

TO JAMES MADISON, OF WILLIAM AND MARY COLLEGE.

PARIS, July 19, 1788.

DEAR SIR,—My last letter to you was of the 13th of August last. As you seem willing to accept of the crumbs of science on which we are subsisting here, it is with pleasure I continue to hand them on to you, in proportion as they are dealt out. Herschel's volcano in the moon you have doubtless heard of, and placed among the other vagaries of a head, which seems not organized for sound induction. The wildness of the theories hitherto proposed by him, on his own discoveries, seems to authorize us to consider his merit as that of a good optician only. You know also, that Dr. Ingenhouse had discovered, as he supposed, from experiment, that vegetation might be promoted by occasioning streams of the electrical fluid to pass through a plant, and that other physicians had received and confirmed this theory. He now, however, retracts it, and finds by

Digitized by Google

more decisive experiments, that the electrical fluid can neither forward nor retard vegetation. Uncorrected still of the rage of drawing general conclusions from partial and equivocal observations, he hazards the opinion that *light* promotes vegetation. I have heretofore supposed from observation, that light effects the color of living bodies, whether vegetable or animal; but that either the one or the other receives *nutriment* from that fluid, must be permitted to be doubted of, till better confirmed by observation. It is always better to have no ideas, than false ones; to believe nothing, than to believe what is wrong. In my mind, theories are more easily demolished than rebuilt.

An Abbé here has shaken, if not destroyed, the theory of de Dominis, Descartes and Newton, for explaining the phenomenon of the rainbow. According to that theory, you know, a cone of rays issuing from the sun, and falling on a cloud in the opposite part of the heavens, is reflected back in the form of a smaller cone, the apex of which is the eye of the observer; so that the eye of the observer must be in the axis of both cones, and equally distant from every part of the bow. But he observes, that he has repeatedly seen bows, the one end of which has been very near to him, and the other at a very great distance. I have often seen the same thing myself. I recollect well to have seen the end of a rainbow between myself and a house, or between myself and a bank, not twenty yards distant; and

Digitized by Google

this repeatedly. But I never saw, what he says he has seen, different rainbows at the same time intersecting each other. I never saw coexistent bows, which were not concentric also. Again, according to the theory, if the sun is in the horizon, the horizon intercepts the lower half of the bow, if above the horizon, that intercepts more than the half, in proportion. So that generally, the bow is less than a semi-circle, and never more. He says he has seen it more than a semi-circle. I have often seen the leg of the bow below my level. My situation at Monticello admits this, because there is a mountain there in the opposite direction of the afternoon's sun, the valley between which and Monticello, is five hundred feet deep. I have seen a leg of a rainbow plunge down on the river running through the valley. But I do not recollect to have remarked at any time, that the bow was more than half a circle. It appears to me, that these facts demolish the Newtonian hypothesis, but they do not support that erected in its stead by the Abbé. He supposes a cloud between the sun and the observer, and that through some opening in that cloud, the rays pass, and form an iris on the opposite part of the heavens, just as a ray passing through a hole in the shutter of a darkened room, and falling on a prism there, forms the prismatic colors on the opposite wall. According to to this, we might see bows of more than the half circle, as often as of less. A thousand other objections occur to this hypothesis, which need not be

Digitized by Google

suggested to you. The result is, that we are wiser than we were, by having an error the less in our catalogue; but the blank occasioned by it, must remain for some happier hypothesist to fill up

The dispute about the conversion and re-conversion of water and air, is still stoutly kept up. The contradictory experiments of chemists, leave us at liberty to conclude what we please. My conclusion is, that art has not yet invented sufficient aids, to enable such subtle bodies to make a well-defined impression on organs as blunt as ours; that it is laudable to encourage investigation, but to hold back conclusion. Speaking one day with Monsieur de Buffon, on the present ardor of chemical inquiry, he affected to consider chemistry but as cookery, and to place the toils of the laboratory on a footing with those of the kitchen. I think it, on the contrary, among the most useful of sciences, and big with future discoveries for the utility and safety of the human race. It is yet, indeed, a mere embryon. Its principles are contested; experiments seem contradictory; their subjects are so minute as to escape our senses; and their result too fallacious to satisfy the mind. It is probably an age too soon, to propose the establishment of a system. The attempt, therefore, of Lavoisier to reform the chemical nomenclature, is premature. One single experiment may destroy the whole filiation of his terms, and his string of sulphates, sulphites, and sulphures, may have served no other end, than to have retarded the

Digitized by Google

progress of the science, by a jargon, from the confusion of which, time will be requisite to extricate us. Accordingly, it is not likely to be admitted generally.

You are acquainted with the properties of the composition of nitre, salt of tartar and sulphur, called pulvis fulminans. Of this, the explosion is produced by heat alone. Monsieur Bertholet, by dissolving silver in the nitrous acid, precipitating it with lime water, and drying the precipitate on ammoniac, has discovered a powder which fulminates most powerfully, on coming into contact with any substance however. Once made, it cannot be touched. It cannot be put into a bottle, but must remain in the capsule, where dried. The property of the spathic acid, to corrode flinty substances, has been lately applied by a Mr. Puymaurin, to engrave on glass, as artists engrave on copper, with aqua-fortis. M. de La Place has discovered, that the secular acceleration and retardation of the moon's motion, is occasioned by the action of the sun, in proportion as his eccentricity changes, or, in other words, as the orbit of the earth increases or diminishes. So that this irregularity is now perfectly calculable.

Having seen announced in a gazette, that some person had found in a library of Sicily, an Arabic translation of Livy, which was thought to be complete, I got the chargé des affaires of Naples here, to write to Naples to inquire into the fact. He ob-

Digitized by Google

tained in answer, that an Arabic translation was found, and that it would restore to us seventeen of the books lost, to wit, from the sixtieth to the seventy-seventh, inclusive: that it was in possession of an Abbé Vella, who, as soon as he shall have finished a work he has on hand, will give us an Italian, and perhaps a Latin translation of this Livy. There are persons, however, who doubt the truth of this discovery, founding their doubts on some personal circumstances relating to the person who says he has this translation. I find, nevertheless, that the chargé des affaires believes in the discovery, which makes me hope it may be true.

A countryman of ours, a Mr. Ledyard of Connecticut, set out from hence some time ago for St. Petersburg, to go thence to Kamtschatka, thence to cross over to the western coast of America, and penetrate through the continent, to the other side of it. He had got within a few days' journey of Kamtschatka, when he was arrested by order of the Empress of Russia, sent back, and turned adrift in Poland. He went to London; engaged under the auspices of a private society, formed there for pushing discoveries into Africa; passed by this place, which he left a few days ago for Marseilles, where he will embark for Alexandria and Grand Cairo; thence explore the Nile to its source; cross the head of the Niger, and descend that to its mouth. He promises me, if he escapes through his journey, he will go to Kentucky, and endeavor to penetrate westwardly to the South Sea.

Digitized by Google

The death of M. de Buffon you have heard long ago. I do not know whether we shall have anything posthumous of his. As to political news, this country is making its way to a good constitution. The only danger is, they may press so fast as to produce an appeal to arms, which might have an unfavorable issue for them. As yet, the appeal is not made. Perhaps the war which seems to be spreading from nation to nation, may reach them; this would ensure the calling of the States General, and this, as is supposed, the establishment of a constitution.

I have the honor to be, with sentiments of sincere esteem and respect, dear Sir, your friend and servant.

TO E. RUTLEDGE.

PARIS, July 18, 1788.

DEAR SIR,—Messrs. Berard were to have given me particular accounts of the proceeds of the shipments of rice made to them. But they have failed. I fear, from what they mention, that the price has been less advantageous than usual; which is unlucky, as it falls on the first essay. If on the whole, however, you get as much as you would have done by a sale on the spot, it should encourage other adventures, because the price at Havre or Rouen is commonly higher, and because I think you may, by trials, find out the way to avail yourselves of the Paris retail price. The Carolina rice sold at Paris, is separated

Digitized by Google

into three kinds: 1, the whole grains; 2, the broken grains; 3, the small stuff; and sell at ten, eight, and six livres the French pound, retail. The whole grains, which constitute the first quality, are picked out by hand. I would not recommend this operation to be done with you, because labor is dearer there than here. But I mention these prices, to show, that after making a reasonable deduction for sorting, and leaving a reasonable profit to the retailer, there should still remain a great wholesale price. I shall wish to know from you, how much your cargo of rice shipped to Berard netts you, and how much it would have netted in *hard money*, if you had sold it at home.

You promise, in your letter of October the 23d, 1787, to give me in your next, at large, the conjectures of your philosopher on the descent of the Creek Indians from the Carthaginians, supposed to have been separated from Hanno's fleet, during his periplus. I shall be very glad to receive them, and see nothing impossible in his conjecture. I am glad he means to appeal to similarity of language, which I consider as the strongest kind of proof it is possible to adduce. I have somewhere read, that the language of the ancient Carthaginians is still spoken by their descendants, inhabiting the mountainous interior parts of Barbary, to which they were obliged to retire by the conquering Arabs. If so, a vocabulary of their tongue can still be got, and if your friend will get one of the Creek languages, the comparison will decide. He probably may have

Digitized by Google

made progress in this business; but if he wishes any enquiries to be made on this side the Atlantic, I offer him my services cheerfully; my wish being like his, to ascertain the history of the American aborigines.

I congratulate you on the accession of your State to the new federal constitution. This is the last I have yet heard of, but I expect daily to hear that my own has followed the good example, and suppose it to be already established. Our government wanted bracing. Still, we must take care not to run from one extreme to another; not to brace too high. I own, I join those in opinion, who think a bill of rights necessary. I apprehend too, that the total abandonment of the principle of rotation in the offices of President and Senator, will end in abuse. But my confidence is, that there will, for a long time, be virtue and good sense enough in our countrymen, to correct abuses. We can surely boast of having set the world a beautiful example of a government reformed by reason alone, without bloodshed. But the world is too far oppressed, to profit by the example. On this side of the Atlantic, the blood of the people is become an inheritance, and those who fatten on it, will not relinquish it easily. The struggle in this country is, as yet, of doubtful issue. It is, in fact, between the monarchy and the parliaments. The nation is no otherwise concerned, but as both parties may be induced to let go some of its abuses, to court the public favor. The danger, is that the people, deceived by a false cry of liberty, may be

Digitized by Google

led to take side with one party, and thus give the other a pretext for crushing them still more. If they can avoid the appeal to arms, the nation will be sure to gain much by this controversy. But if that appeal is made, it will depend entirely on the disposition of the army, whether it issue in liberty or despotism. Those dispositions are not as yet known. In the meantime, there is great probability that the war kindled in the east, will spread from nation to nation, and in the long run, become general. * * *

I am, with the most sincere esteem and attachment, my dear Sir, your friend and servant.

TO MR. CUTTING.

PARIS, July 24, 1788.

DEAR SIR,—I am indebted to your favor of the 11th instant for many details which I have not received otherwise. Notwithstanding a most extensive and laborious correspondence which I keep up with my friends on the other side the water, my information is slow, precarious and imperfect. The New York papers, which I receive regularly, and one or two correspondents in Congress, are my best sources. As you are desirous of having, before your departure for South Carolina, a sketch of European affairs, as they are seen from this position, I will give you the best I can, taking no notice of the "*bruit de Paris*," which, like the English newspapers, are but guesses, and made generally by persons who

Digitized by Google

do not give themselves the trouble of trying to guess right. I will confine myself to facts, or well-founded probabilities, and among these must necessarily repeat a great deal of what you know already. Perhaps all may be of that description.

The war undertaken by the Turks, unadvisedly, as was conjectured, has been attended with successes which are now hastening the public opinion to the other extreme; but it should be considered that they have been small successes only, in the partizan way. The probable event of the war can only be calculated after a great general action, because it is in that we shall see whether the European discipline has been overrated, and the want of it in the Turks exaggerated. Russia certainly undertook the war unwillingly, and the Emperor, it is thought, would now be glad to get out of it, but the Turks, who demanded a restitution of the Crimea, before they began the war, are not likely to recede from that demand, after the successes they have obtained, nor can Russia yield to it without some more decisive event than has yet taken place. A small affair on the Black Sea, which is believed, though not on grounds absolutely authentic, is calculated to revive her spirits. Twenty-seven gun boats, Russian, have obliged fifty-seven, commanded by the Captain Pacha himself, to retire after an obstinate action. The Russians were commanded by the Prince of Nassau, with whom our Paul Jones acted as volunteer, and probably directed the whole business. I

Digitized by Google

suppose he must have been just arrived, and that his command has not yet been made up. He is to be rear-admiral, and always to have a separate command. What the English newspapers said of remonstrances against his being received into the service, as far as I can learn from those who would have known it, and would have told it to me, was false, as is everything those papers say, ever did say, and ever will say. The probability, and almost certainty, that Sweden will take a part in the war, adds immensely to the embarrassments of Russia, and will almost certainly prevent her fleet going to the Mediterranean. It is tolerably certain that she has been excited to this by the Court of London, and that she has received, through their negotiations, a large subsidy from the Turks (about three millions of thalers), yet the meeting of the two fleets, and their saluting, instead of fighting each other, induces a suspicion that if he can hinder the Russian expedition by hectoring only, he may not mean to do more. Should this power really engage in the war, and should it at length spread to France and England, I shall view the Swedish separation from France as the event which alone decides that the late subversion of the European system will be ultimately serious to France. This power, with the two empires, and Spain, was more than a match for England, Prussia and Holland by land, and balanced them by sea. For on this element France and Spain are equal to England, and Russia to Holland. Sweden was

Digitized by Google

always supposed on the side of France, and to balance Denmark, on the side of England, by land and sea; but if she goes over decidedly into the English scale, the balance at sea will be destroyed by the amount of the whole force of these two powers, who can equip upwards of sixty sail of the line. There is a report, credited by judicious persons, that the Dutch patriots, before their suppression, foreseeing that event, sent orders to the East Indies to deliver Trincomale to the French, and that it has been done. My opinion is, either that this is not true, or that they will re-deliver it, and disavow their officer who accepted it. If they did not think Holland, and all its possessions, worth a war, they cannot think a single one of those possessions worth it. M. de St. Priest has leave to go to the waters. Probably he will then ask and have leave to come to Paris, and await events. The English papers have said the works of Cherbourg were destroyed irreparably. This is a mathematical demonstration that they are not. The truth is, that the head of one cone has been very much beaten off by the waters. But the happiness of that undertaking is, that all its injuries improve it. What is beaten from the head widens the base, and fixes the cone much more solidly. That work will be steadily pursued, and, in all human probability, be finally successful. They calculate on half a million of livres, say £20,000 sterling, for every cone, and that there will be from seventy to eighty cones. Prob-

Digitized by Google

ably they must make more cones, suppose one hundred, this will be two millions of pounds sterling. Versailles has cost fifty millions of pounds sterling. Ought we to doubt then that they will persevere to the end in a work small and useful, in proportion as the other was great and foolish?

The internal affairs here do not yet clear up. Most of the late innovations have been much for the better. Two only must be fundamentally condemned; the abolishing, in so great a degree, of the parliaments, and the substitution of so ill-composed a body as the *cour pleniere*. If the King has power to do this, the government of this country is a pure despotism. I think it a pure despotism in theory, but moderated in practice by the respect which the public opinion commands. But the nation repeats, after Montesquieu, that the different bodies of magistracy, of priests and nobles, are barriers between the King and the people. It would be easy to prove that these barriers can only appeal to public opinion, and that neither these bodies, nor the people, can oppose any legal check to the will of the monarch. But they are manifestly advancing fast to a constitution. Great progress is already made. The provincial assemblies, which will be a very perfect representative of the people, will secure them a great deal against the power of the crown. The confession lately made by the government, that it cannot impose a new tax, is a great thing: the convocation of the States General, which cannot be

Digitized by Google

avoided, will produce a national assembly, meeting at certain epochs, possessing at first probably only a negative on the laws, but which will grow into the right of original legislation, and prescribing limits to the expenses of the King. These are improvements which will assuredly take place, and which will give an energy to this country they have never yet had. Much may be hoped from the States General, because the King's dispositions are solidly good; he is capable of great sacrifices; all he wants to induce him to do a thing, is to be assured it will be for the good of the nation. He will probably believe what the States General shall tell him, and will do it. It is supposed they will reduce the parliament to a mere judiciary. I am in hopes all this will be effected without convulsions. The English papers have told the world, with their usual truth, that all here is civil war and confusion. There have been some riots, but as yet not a single life has been lost, according to the best evidence I have been able to collect. One officer was wounded at Grenoble. The arrest of the twelve deputies of Bretagne a fortnight ago, I apprehended would have produced an insurrection; but it seems as if it would not. They have sent eighteen deputies more, who will probably be heard. General Armand was one of the twelve, and is now in the Bastille. The Marquis de La Fayette, for signing the prayer which these deputies were to present, and which was signed by all the other nobles of Bretagne resident in Paris (about sixty in

Digitized by Google

number), has been disgraced, in the old-fashioned language of the country; that is to say, the command in the south of France this summer, which they had given him, is taken away. They took all they could from such others of the subscribers as held anything from the Court. This dishonors them at Court, and in the eyes and conversation of their competitors for preferment. But it will probably honor them in the eyes of the nation. This is as full a detail as I am able to give you of the affairs of Europe. I have nothing to add to them but my wishes for your health and happiness, and assurances of the esteem with which I have the honor to be, dear Sir, your most obedient, and most humble servant.

TO MR. BELLINI.

PARIS, July 25, 1788.

DEAR SIR,—Though I have written to you seldom, you are often the object of my thoughts, and always of my affection. The truth is, that the circumstances with which I am surrounded, offer little worth detailing to you. You are too wise to feel an interest in the squabbles, in which the pride, the dissipations, and the tyranny of kings, keep this hemisphere constantly embroiled. Science indeed, finds some aliment here, and you are one of her sons. But this I have pretty regularly communicated to Mr. Madison, with whom, I am sure, you partici-

Digitized by Google

pate of it. It is with sincere pleasure I congratulate you on the good fortune of our friend Mazzei, who is appointed here, to correspond with the King of Poland. The particular character given him is not well defined, but the salary is, which is more important. It is eight thousand livres a year, which will enable him to live comfortably, while his duties will find him that occupation, without which he cannot exist. Whilst this appointment places him at his ease, it affords him a hope of permanence also. It suspends, if not entirely prevents, the visit he had intended to his native country, and the return to his adoptive one, which the death of his wife had rendered possible. This last event has given him three quarters of the globe elbow-room, which he had ceded to her, on condition she would leave him quiet in the fourth. Their partition of the next world will be more difficult, if it be divided only into two parts, according to the Protestant faith. Having seen by a letter you wrote him, that you were in want of a pair of spectacles, I undertook to procure you some, which I packed in a box of books addressed to Mr. Wythe, and of which I beg your acceptance. This box lay forgotten at Havre the whole of the last winter, but was at length shipped, and I trust has come to hand. I packed with the spectacles, three or four pair of glasses, adapted to the different periods of life, distinguished from each other by numbers, and easily changed. You see I am looking forward in

Digitized by Google

hope of a long life for you; and that it may be long enough to carry you through the whole succession of glasses, is my sincere prayer. Present me respectfully to Mrs. Bellini, assure her of my affectionate remembrance of her, and my wishes for her health and happiness; and accept yourself, very sincere professions of the esteem and attachment with which I am, dear Sir, your affectionate friend and servant.

TO MR. CUTTING.

PARIS, July 28, 1788.

SIR,—When I had the honor of writing you on the 24th instant, the transactions on the Black Sea were but vaguely known; I am now able to give them to you on better foundation. The Captain Pacha was proceeding with succors to Ocrakoff, as is said by some (for this fact does not come on the same authority with the others), the authentic account placing the two fleets in the neighborhood of each other at the mouth of the Liman, without saying how they came there. The Captain Pacha, with fifty-seven gun-boats, attacked the Russian vessels of the same kind, twenty-seven in number, the right wing of which was commanded by Admiral Paul Jones, the left by the Prince of Nassau. After an obstinate engagement of five hours, during which the Captain Pacha flew incessantly wherever there was danger or distress, he was obliged to

Digitized by Google

retire, having lost three of his vessels, and killed only eight men of the Russians. I take this account from the report of the action by the Prince of Nassau, which the Russian minister here showed me. It is said in other accounts, that all the balls of the Turks passed overhead, which was the reason they did so little execution. This was on the 10th of June, and was the forerunner of the great and decisive action between the two main fleets, which took place on the 26th, the Russian fleet, commanded by Admiral Paul Jones, the Turkish by Captain Pacha, of which the result only, and not the details, are given us. This was, that the vessels of the Turkish Admiral and Vice-Admiral, and four others, were burnt, that is to say, six in all, two others were taken, and between three and four thousand prisoners. The Captain Pacha's flag was taken, and himself obliged to fly in a small vessel, his whole fleet being dispersed. The Prince Potemkin immediately got under march for Ocrakoff, to take advantage of the consternation into which that place was thrown. These facts are written by Prince Potemkin, from his head-quarters, to Prince Gallitzin, the Russian Ambassador at Vienna, who writes them to their minister here, who showed me the letter. The number of prisoners taken, renders it probable that the Captain Pacha was on his way to the relief of Ocrakoff with transports, as a less authentic report said he was. We are not told authentically what was the force on each side in the

Digitized by Google

main action of the 26th, but it is supposed to have been about fifteen ships of the line on each side, besides their smaller vessels; but the evidence of this is vague, and the less to be relied on, as we have known that the Russians were much inferior in numbers to the Turks on that sea. A war of a less bloody kind is begun between the Pope and the King of Naples, who has refused this year to pay the annual tribute of the hackney as an acknowledgment that he holds his kingdom as feudatory of the Pope. The latter has declared him to stand deprived of his kingdom, but gives him three months to consider of it. We shall see what will be made of this farce. I have written this supplement to my other letter, in hopes it may still find you at London. I am, with much esteem, dear Sir, your most obedient humble servant.

TO MONSIEUR LIMOZIN.

PARIS, July 30, 1788.

SIR,—I know nothing myself of the person who was the subject of your letter of the 27th, except a mere slight personal acquaintance. But I have been told that he has been very unsuccessful in commerce, and that his affairs are very much deranged. I own I wish to see the beef-trade with America taken up by solid hands, because it will give new life to our Northern States. In general, they do not know how to cure it. But some persons of Massachusetts have

Digitized by Google

not very long ago brought over packers and picklers from Ireland, and the beef cured and packed by them has been sent to the East Indies and brought back again, and perfectly sound. We may expect the art will spread. Is the Irish beef as good as that of Hamburg? If I had supposed Irish beef could have been got at Havre, I would not have sent to Hamburg for beef. I suppose that which came for me cannot be introduced.

You have heard of the great naval victory obtained by the Russians under command of Admiral Paul Jones, over the Turks commanded by the Captain Pacha. We cannot see as yet, whether this will hasten peace. The Swedish fleet having saluted instead of attacking the Russian, makes us suspect these movements of the King of Sweden may be a mere piece of hectoring to frighten Russia from the purpose of sending her fleet round, if he can do it without actually entering into the war. He is paid by the Turks. Nothing else new. I am, Sir, with great esteem, your most obedient, humble servant.

TO JAMES MADISON.

PARIS, July 31, 1788.

DEAR SIR,—My last letters to you were of the 3d and the 25th of May. Yours from Orange, of April the 22d, came to hand on the 10th instant.

My letter to Mr. Jay, containing all the public news that is well authenticated, I will not repeat

Digitized by Google

it here, but add some details in the smaller way, which you may be glad to know. The disgrace of the Marquis de la Fayette, which at any other period of their history would have had the worst consequences for him, will, on the contrary, mark him favorably to the nation, at present. During the present administration, he can expect nothing; but perhaps it may serve him with their successors, whenever a change shall take place. No change of the Principal will probably take place before the meeting of the States General; though a change is to be wished, for his operations do not answer the expectations formed of him. These had been calculated on his brilliancy in society. He is very feebly aided, too. Montmorin is weak, though a most worthy character. He is indolent and inattentive, too, in the extreme. Luzerne is considerably inferior in abilities to his brother, whom you know. He is a good man, too, but so much out of his element, that he has the air of one *huskanoyed*. The Garde des sceaux is considered as the Principal's bull dog, braving danger like the animal. His talents do not pass mediocrity. The Archbishop's brother, and the new minister Villedeuil, and Lambert, have no will of their own. They cannot raise money for the peace establishment the next year, without the States General; much less if there be war; and their administration will probably end with the States General.

Littlepage, who was here as a secret agent for the King of Poland, rather overreached himself. He

Digitized by Google

wanted more money. The King furnished it, more than once. Still he wanted more, and thought to obtain a high bid by saying he was called for in America, and asking leave to go there. Contrary to his expectation, he received leave; but he went to Warsaw instead of America, and from thence to join the[1] * * * * I do not know these facts certainly, but recollect them, by putting several things together. The King then sent an ancient secretary here, in whom he had much confidence, to look out for a correspondent, a mere letter writer for him. A happy hazard threw Mazzei in his way. He recommended him, and he is appointed. He has no diplomatic character whatever, but is to receive eight thousand livres a year, as an intelligencer. I hope this employment may have some permanence. The danger is, that he will overact his part.

The Marquis de la Luzerne had been for many years married to his brother's wife's sister, secretly. She was ugly and deformed, but sensible, amiable, and rather rich. When he was ambassador to London, with ten thousand guineas a year, the marriage was avowed, and he relinquished his cross of Malta, from which he derived a handsome revenue for life, and which was very open to advancement. Not long ago, she died. His real affection for her, which was great and unfeigned, and perhaps the loss of his order for so short-lived a satisfaction, has thrown him

[1 Several paragraphs of this letter are in cipher. A few words here could not be deciphered.]

Digitized by Google

almost into a state of despondency. He is now here.

I send you a book of Dupont's, on the subject of the commercial treaty with England. Though its general matter may not be interesting, yet you will pick up in various parts of it, such excellent principles and observations, as will richly repay the trouble of reading it. I send you also, two little pamphlets of the Marquis de Condorcet, wherein is the most judicious statement I have seen, of the great questions which agitate this nation at present. The new regulations present a preponderance of good over their evil; but they suppose that the King can model the constitution at will, or, in other words, that his government is a pure despotism. The question then arising is, whether a pure despotism in a single head, or one which is divided among a king, nobles, priesthood, and numerous magistracy, is the least bad. I should be puzzled to decide; but I hope they will have neither, and that they are advancing to a limited, moderate government, in which the people will have a good share.

I sincerely rejoice at the acceptance of our new constitution by nine States. It is a good canvass, on which some strokes only want retouching. What these are, I think are sufficiently manifested by the general voice from north to south, which calls for a bill of rights. It seems pretty generally understood, that this should go to juries, habeas corpus, standing armies, printing, religion and monopolies. I con-

Digitized by Google

ceive there may be difficulty in finding general modifications of these, suited to the habits of all the States. But if such cannot be found, then it is better to establish trials by jury, the right of habeas corpus, freedom of the press and freedom of religion, in all cases, and to abolish standing armies in time of peace, and monopolies in all cases, than not to do it in any. The few cases wherein these things may do evil, cannot be weighed against the multitude wherein the want of them will do evil. In disputes between a foreigner and a native, a trial by jury may be improper. But if this exception cannot be agreed to, the remedy will be to model the jury, by giving the *mediatas linguæ*, in civil as well as criminal cases. Why suspend the habeas corpus in insurrections and rebellions? The parties who may be arrested, may be charged instantly with a well-defined crime; of course, the judge will remand them. If the public safety requires that the government should have a man imprisoned on less probable testimony, in those than in other emergencies, let him be taken and tried, retaken and retried, while the necessity continues, only giving him redress against the government, for damages. Examine the history of England. See how few of the cases of the suspension of the habeas corpus law, have been worthy of that suspension. They have been either real treason, wherein the parties might as well have been charged at once, or sham plots, where it was shameful they should ever have been suspected. Yet for the few cases wherein the

Digitized by Google

suspension of the habeas corpus has done real good, that operation is now become habitual, and the minds of the nation almost prepared to live under its constant suspension. A declaration, that the federal government will never restrain the presses from printing anything they please, will not take away the liability of the printers for false facts printed. The declaration, that religious faith shall be unpunished, does not give impunity to criminal acts, dictated by religious error. The saying there shall be no monopolies, lessens the incitements to ingenuity, which is spurred on by the hope of a monopoly for a limited time, as of fourteen years; but the benefit of even limited monopolies is too doubtful, to be opposed to that of their general suppression. If no check can be found to keep the number of standing troops within safe bounds, while they are tolerated as far as necessary, abandon them altogether, discipline well the militia, and guard the magazines with them. More than magazine guards will be useless, if few, and dangerous, if many. No European nation can ever send against us such a regular army as we need fear, and it is hard, if our militia are not equal to those of Canada or Florida. My idea then, is, that though proper exceptions to these general rules are desirable, and probably practicable, yet if the exceptions cannot be agreed on, the establishment of the rules, in all cases, will do ill in very few. I hope, therefore, a bill of rights will be formed, to guard the people against the

Digitized by Google

federal government, as they are already guarded against their State governments, in most instances. The abandoning the principle of necessary rotation in the Senate, has, I see, been disapproved by many; in the case of the President, by none. I readily, therefore, suppose my opinion wrong, when opposed by the majority, as in the former instance, and the totality, as in the latter. In this, however, I should have done it with more complete satisfaction, had we all judged from the same position.

Solicitations, which cannot be directly refused, oblige me to trouble you often, with letters recommending and introducing to you, persons who go from hence to America. I will beg the favor of you, to distinguish the letters wherein I appeal to recommendations from other persons, from those which I write on my own knowledge. In the former, it is never my intention to compromit myself or you. In both instances, I must beg you to ascribe the trouble I give you, to circumstances which do not leave me at liberty to decline it. I am, with very sincere 'steem, dear Sir, your affectionate friend and servant.

TO COLONEL W. S. SMITH.

PARIS, August 2, 1788.

DEAR SIR, * * * * * * *

You arrived just in time to see the commencement of a new order of things. Our political machine is now pretty well wound up; but are the spirits of our

Digitized by Google

people sufficiently wound down to let it work glibly? I trust it is too soon for that, and that we have many centuries to come yet before my countrymen cease to bear their government hard in hand. This nation is rising from the dust. They have obtained as you know, provincial assemblies, in which there will be a more perfect representation of the people than in our State assemblies; they have obtained from the King a declaration that he cannot impose a new tax without the consent of the States General, and a promise to call the States General. When these meet, they will endeavor to establish a declaration of rights, a periodical national assembly, and a civil list. I am in hopes that even a war will not interrupt this work. Whether, or rather when, this will come upon them, is still uncertain. I do not think the present ill humor between them and England can be cleared up but by a war, and that it is not very distant. England, Holland and Prussia, have now settled their alliance. Sweden has shown dispositions to take side with the Turks, and both, in the event of a general war, would be in the English scale. The contrary one would be formed by France, Spain, and the two empires. It even seems possible that Denmark will attach itself to France instead of England, rather than not be opposed to Russia. The symptoms of this as yet, however, are slight. The victory lately obtained by our Admiral Paul Jones over the Captain Pacha, will produce a great effect on the Turkish war. He burnt six of his vessels, among

Digitized by Google

which was that of the Captain Pacha, and that also of his vice-admiral, took two, and made between three and four thousand prisoners, and this with a much inferior force. It was the effect of a gross error in the Captain Pacha, instantaneously and dexterously taken advantage of by Paul Jones, who hemmed them up in the swash at the mouth of the Boristhenes, so that their vessels buried themselves in the mud, where they were burnt. The Captain Pacha escaped in a small vessel. His flag fell into the hands of the Russians. Let me hear from you sometimes, assured I shall always be interested in your success. Present me in the most friendly terms to Mrs. Smith, and accept the best affection of, dear Sir, your friend and servant.

P. S. August 6th. Later accounts of the actions between the Russians and Turks, informs us that Paul Jones commanded the right wing of the little fleet of galleys, etc., in the first action, which was not at all decisive, but that when the second and decisive action took place, which was still by the galleys, etc., the Prince of Nassau alone commanded, Paul Jones being absent with the ships of war which he commands.

TO JOHN ADAMS, ESQ.

PARIS, August 2, 1788.

DEAR SIR,—I have received with a great deal of pleasure the account of your safe arrival and joyful

Digitized by Google

reception at Boston. Mr. Cutting was so kind as to send me a copy of the address of the Assembly to you and your answer, which, with the other circumstances, I have sent to have published in the gazettes of Leyden, and in a gazette here. It will serve to show the people of Europe that those of America are content with their servants, and particularly content with you.

The war with the Turks, Russians, and Austrians, goes on. A great victory obtained on the Black Sea over the Turks, as commanded by the Captain Pacha, by the Russians, commanded by Admiral Paul Jones, will serve to raise the spirits of the two empires. He burnt six ships, among which was the admiral's and vice-admiral's, took two, and made between three and four thousand prisoners. The Swedes having hastily armed a fleet of about sixteen sail of the line, and marched an army into Finland, the King at the head of it, made us believe they were going to attack the Russians. But when their fleet met with three Russian ships of one hundred guns each, they saluted and passed them. It is pretty well understood that the expenses of this armament are paid by the Turks, through the negotiations of England. And it would seem as if the King had hired himself to strut only; but not to fight, expecting probably that the former would suffice to divert the Russians from sending their fleet round to the Mediterranean. There are some late symptoms which would indicate that Denmark would still be opposed to Sweden, though she

Digitized by Google

should shift herself into the opposite scale. The alliance between England, Holland and Russia, is now settled. In the meantime, this country is losing all its allies one by one, without assuring to herself new ones. Prussia, Holland, Turkey, Sweden, are pretty certainly got, or getting into the English interest, and the alliance of France with the two empires is not yet secured. I am in hopes her internal affairs will be arranged without blood. None has been shed as yet. The nation presses on sufficiently upon the government to force reformations, without forcing them to draw the sword. If they can keep the opposition always exactly at this point all will end well. Peace or war, they cannot fail now to have the States General, and I think in the course of the following year. They have already obtained the provincial Assemblies as you know. The King has solemnly confessed he cannot lay a new tax without consent of the States General, and when these assemble they will try to have themselves moulded into a periodical assembly, to form a declaration of rights, and a civil list for the government. The Baron de Breteuil has lately retired from the ministry, and has been succeeded by M. de Villedeuil. Monsieur de Malesherbes will probably retire. The Marquis de La Fayette, with several others, have lately received a fillip for having assembled to sign a memorial to the King, which had been sent up from Brittany. They took from the Marquis a particular command which he was to have exercised during the

Digitized by Google

months of August and September this year in the south of France. Your friends the Abbés are well, and always inquire after you. I shall be happy to hear from you from time to time, to learn State news and State politics, for which I will give you in return those of this quarter of the earth. I hope Mrs. Adams is well; I am sure she is happier in her own country than any other. Assure her of my constant friendship, and accept assurances of the same from, dear Sir, your most obedient, and most humble servant.

P. S. Make freely any use of me here which may be convenient either for yourself or Mrs. Adams.

P. S. August 6. Later accounts inform us that there have been two actions between the Russians and Turks. The first was of the galleys on both sides. In this, Paul Jones being accidentally present, commanded the right wing. The Russians repulsed the Turks. The second action was of the Russian galleys against the Turkish ships of war. The effect was what is stated in the preceding letter. But the command was solely in the Prince of Nassau. Paul Jones with his fleet of ships of war being absent, Prince Potemkin immediately got under march for Oczakow, to take advantage of the consternation it was thrown into. The Swedes have commenced hostilities against the Russians, and war against them is consequently declared by the Empress.

Digitized by Google

TO JOHN JAY.

PARIS, August 3, 1788.

SIR,—My last letters to you were of the 4th and 23d of May, with a postscript of the 27th. Since that, I have been honored with yours of April the 24th, May the 16th and June the 9th.

The most remarkable internal occurrences since my last, are these. The Noblesse of Bretagne, who had received with so much warmth the late innovations in the government, assembled, and drew up a memorial to the King, and chose twelve members of their body to come and present it. Among these was the Marquis de La Rouerie, (Colonel Armand). The King, considering the Noblesse as having no legal right to assemble, declined receiving the memorial. The deputies, to give greater weight to it, called a meeting of the landed proprietors of Bretagne, resident at Paris, and proposed to them to add their signatures. They did so, to the number of about sixty, of whom the Marquis de La Fayette was one. The twelve deputies, for having called this meeting, were immediately sent to the Bastile, where they now are, and the Parisian signers were deprived of such favors as they held of the court. There were only four of them, however, who held anything of that kind. The Marquis de La Fayette was one of these. They had given him a military command, to be exercised in the south of France, during the months of August and September of the

Digitized by Google

present year. This they took from him; so that he is disgraced, in the ancient language of the court, but in truth honorably marked in the eyes of the nation. The ministers are so sensible of this, that they have had, separately, private conferences with him, to endeavor, through him, to keep things quiet. From the character of the province of Bretagne, it was much apprehended, for some days, that the imprisonment of their deputies would have produced an insurrection. But it took another turn. The *Cours intermediare* of the province, acknowledged to be a legal body, deputed eighteen members of their body to the King. To these he gave an audience, and the answer, of which I send you a copy. This is hard enough. Yet I am in hopes the appeal to the sword will be avoided, and great modifications in the government be obtained, without bloodshed. As yet, none has been spilt, according to the best evidence I have been able to obtain, notwithstanding what the foreign newspapers have said to the contrary. The convocation of the States General has now become inevitable. Whenever the time shall be announced certainly, it will keep the nation quiet till they meet. According to present probabilities, this must be in the course of the next summer; but to what movements their meeting and measures may give occasion, cannot be foreseen. Should a foreign war take place, still they must assemble the States General, because they cannot, but by their aid, obtain money to carry it on. Monsieur de Malesherbes will, I believe, retire

Digitized by Google

from the King's Council. He has been much opposed to the late acts of authority. The Baron de Breteuil has resigned his secretaryship of the domestic department; certainly not for the same reasons, as he is known to have been of opinion, that the King had compromitted too much of his authority. The real reason has probably been an impatience of acting under a principal minister. His successor is M. de Villedeuil, lately Comptroller General.

The Ambassadors of Tippoo Saib have arrived here. If their mission has any other object than that of pomp and ceremony, it is not yet made known. Though this court has not avowed that they are in possession of Trincomale, yet the report is believed, and that possession was taken by General Conway, in consequence of orders given in the moment that they thought a war certain. The dispute with the States General of the United Netherlands, on account of the insult to M. de St. Priest, does not tend as yet, towards a settlement. He has obtained leave to go to the waters, and perhaps, from thence he may come to Paris, to await events. Sweden has commenced hostilities against Russia, by the taking a little fortress by land. This having been their intention, it is wonderful that when their fleet lately met three Russian ships of one hundred guns each, they saluted instead of taking them. The Empress has declared war against them in her turn. It is well understood that Sweden is set on by England, and paid by the Turks. The prospect of Russia has much brightened

Digitized by Google

by some late successes. Their fleet of galleys and gunboats, twenty-seven in number, having been attacked by fifty-seven Turkish vessels of the same kind, commanded by the Captain Pacha, these were repulsed, with the loss of three vessels. In the action which was on the 18th of June, Admiral Paul Jones commanded the right wing of the Russians, and the Prince of Nassau, the left. On the 26th of the same month, the Turkish principal fleet, that is to say, their ships of the line, frigates, etc., having got themselves near the swash, at the mouth of the Boristhenes, the Prince of Nassau took advantage of their position, attacked them while so engaged in the mud that they could not manœuvre, burnt six, among which were the admiral's, and vice-admiral's, took two, and made between three and four thousand prisoners. The first reports gave this success to Admiral Paul Jones; but it is now rendered rather probable that he was not there, as he commands the vessels of war which are said not to have been there. It is supposed that his presence in the affair of the 18th, was accidental. But if this success has been so complete as it is represented, the Black Sea must be tolerably open to the Russians: in which case, we may expect, from what we know of that officer, that he will improve to the greatest advantage the situation of things on that sea. The Captain Pacha's standard was taken in the last action, and himself obliged to make his escape in a small vessel. Prince Potemkin immediately got under march for Ocza-

Digitized by Google

kow, to take advantage of the consternation into which that place was thrown.

The Spanish squadron, after cruising off the western isles and Cape St. Vincent, has returned into port.

A dispute has arisen between the Papal See and the King of Naples, which may, in its progress, enable us to estimate what degree of influence that See retains at the present day. The kingdom of Naples, at an early period of its history, became feudatory to the See of Rome, and in acknowledgment thereof, has annually paid a hackney to the Pope in Rome, to which place it has always been sent by a splendid embassy. The hackney has been refused by the King this year, and the Pope giving him three months to return to obedience, threatens, if he does not, to proceed seriously against him.

About three weeks ago, a person called on me and informed me that Silas Deane had taken him in for a sum of one hundred and twenty guineas, and that being unable to obtain any other satisfaction, he had laid hands on his account book and letter book, and had brought them off to Paris, to offer them first to the United States, if they would repay him his money, and if not, that he should return to London, and offer them to the British Minister. I desired him to leave them with me four-and-twenty hours, that I might judge whether they were worth our notice. He did so. They were two volumes. One contained all his accounts with the United States, from his first coming to Europe, to January the 10th, 1781. Presuming

Digitized by Google

that the treasury board was in possession of this account till his arrival in Philadelphia, August, 1778, and that he had never given in the subsequent part, I had that subsequent part copied from the book, and now enclose it, as it may, on some occasion or other, perhaps be useful in the treasury office. The other volume contained all his correspondences from March the 30th to August the 23d, 1777. I had a list of the letters taken, by their dates and addresses, which will enable you to form a general idea of the collection. On perusal of many of them, I thought it desirable that they should not come to the hands of the British Minister, and from an expression dropped by the possessor of them, I believe he would have fallen to fifty or sixty guineas. I did not think them important enough, however, to justify my purchasing them without authority; though, with authority, I should have done it. Indeed, I would have given that sum to cut out a single sentence, which contained evidence of a fact, not proper to be committed to the hands of enemies. I told him I would state his proposition to you, and await orders. I gave him back the books, and he returned to London without making any promise that he would await the event of the orders you might think proper to give.

News of the accession of nine States to the new form of federal government, has been received here about a week. I have the honor to congratulate you sincerely on this event. Of its effect at home,

Digitized by Google

you are in the best situation to judge. On this side the Atlantic it is considered as a very wise reformation. In consequence of this, speculations are already begun here, to purchase up our domestic liquidated debt. Indeed, I suspect that orders may have been previously lodged in America to do this, as soon as the new Constitution was accepted effectually. If it is thought that this debt should be retained at home, there is not a moment to lose; and I know of no means of retaining it, but those I suggested to the treasury board, in my letter to them of March the 29th. The transfer of these debts to Europe, will exclusively embarrass, and perhaps totally prevent the borrowing any money in Europe, till these shall be paid off. This is a momentous object, and in my opinion should receive instantaneous attention.

The gazettes of France, to the departure of my letter, will accompany it, and those of Leyden to the 22d of July, at which time their distribution in this country was prohibited. How long the prohibition may continue, I cannot tell. As far as I can judge, it is the only paper in Europe worth reading. Since the suppression of the packet boats, I have never been able to find a safe conveyance for a letter to you, till the present by Mrs. Barclay. Whenever a confidential person shall be going from hence to London, I shall send my letters for you to the care of Mr. Trumbull, who will look out for safe conveyances. This will render the epochs of my writing

Digitized by Google

very irregular. There is a proposition under consideration, for establishing packet boats on a more economical plan, from Havre to Boston; but its success is uncertain, and still more, its duration. I have the honor to be, with sentiments of the most perfect esteem and respect, Sir, your most obedient, and most humble servant.

TO COLONEL MONROE.

PARIS, August 9, 1788.

DEAR SIR,—Since my last to you, I have to thank you for your favors of July the 27th, 1787, and April the 10th, 1788, and the details they contained; and in return, will give you now the leading circumstances of this continent. * * * *

This nation is, at present, under great internal agitation. The authority of the crown on one part, and that of the parliaments on the other, are fairly at issue. Good men take part with neither, but have raised an opposition, the object of which is, to obtain a fixed and temperate constitution. There was a moment, when this opposition ran so high, as to endanger an appeal to arms, in which case, perhaps, it would have been crushed. The moderation of government has avoided this, and they are yielding daily, one right after another, to the nation. They have given them Provincial Assemblies, which will be very perfect representations of the nation, and stand somewhat in the place of our State Assemblies;

Digitized by Google

they have reformed the criminal law; acknowledged the King cannot lay a new tax, without the consent of the States General; and they will call the States General the next year. The object of this body, when met, will be a bill of rights, a civil list, a national assembly meeting at certain epochs, and some other matters of that kind. So that I think it probable, this country will, within two or three years, be in the enjoyment of a tolerably free constitution, and that without its having cost them a drop of blood; for none has yet been spilt, though the English papers have set the whole nation to cutting throats.

* * * * * * * *

Be assured of those sentiments of esteem and attachment with which I am, dear Sir, your friend and servant.

TO MONSIEUR DE CREVE-COEUR.

PARIS, August 9, 1788.

DEAR SIR,—While our second revolution is just brought to a happy end with you, yours here is but cleverly under way. For some days, I was really melancholy with the apprehension, that arms would be appealed to, and the opposition crushed in its first efforts. But things seem now to wear a better aspect. While the opposition keeps at its highest wholesome point, government, unwilling to draw the sword, is not forced to do it. The contest here is exactly what it was in Holland: a contest between the monarchical

Digitized by Google

and aristocratical parts of the government, for a monopoly of despotism over the people. The aristocracy in Holland, seeing that their common prey was likely to escape out of their clutches, chose rather to retain its former portion, and therefore coalesced with the single head. The people remained victims. Here, I think, it will take a happier turn. The parliamentary part of the aristocracy is alone firmly united. The Noblesse and Clergy, but especially the former, are divided partly between the parliamentary and the despotic party, and partly united with the real patriots, who are endeavoring to gain for the nation what they can, both from the parliamentary and the single despotism. I think I am not mistaken in believing that the King and some of his ministers are well affected to this band; and surely, that they will make great cessions to the people, rather than small ones to the parliament. They are, accordingly, yielding daily to the national reclamations, and will probably end, in according a well-tempered constitution. They promise the States General for the next year, and I have good information that an *Arret* will appear the day after to-morrow, announcing them for May, 1789. How they will be composed, and what they will do, cannot be foreseen. Their convocation, however, will tranquillize the public mind, in a great degree, till their meeting. There are, however, two intervening difficulties: 1. Justice cannot till then continue completely suspended, as it now is. The parliament will not resume their functions, but

Digitized by Google

in their entire body. The baillages are afraid to accept of them. What will be done? 2. There are well-founded fears of a bankruptcy before the month of May. In the meantime, the war is spreading from nation to nation. Sweden has commenced hostilities against Russia; Denmark is showing its teeth against Sweden; Prussia against Denmark; and England too deeply engaged in playing the back game, to avoid coming forward, and dragging this country and Spain in with her. But even war will not prevent the assembly of the States General, because it cannot be carried on without them. War, however, is not the most favorable moment for divesting the monarchy of power. On the contrary, it is the moment when the energy of a single hand shows itself in the most seducing form.

A very considerable portion of this country has been desolated by a hail. I considered the newspaper accounts, of hailstones of ten pounds weight, as exaggerations. But in a conversation with the Duke de La Rochefoucault, the other day, he assured me, that though he could not say he had seen such himself, yet he considered the fact as perfectly established. Great contributions, public and private, are making for the sufferers. But they will be like the drop of water from the finger of Lazarus. There is no remedy for the present evil, nor way to prevent future ones, but to bring the people to such a state of ease, as not to be ruined by the loss of a single crop. This hail may be considered as the *coup de grace* to

Digitized by Google

an expiring victim. In the arts, there is nothing new discovered since you left us, which is worth communicating. Mr. Payne's iron bridge was exhibited here, with great approbation. An idea has been encouraged, of executing it in three arches, at the King's garden. But it will probably not be done.

I am, with sentiments of perfect esteem and attachment, dear Sir, your most obedient, and most humble servant.

TO J. BANNISTER, JR., ESQ.

PARIS, August 9, 1788.

DEAR SIR,— * * * * * * * This country at present is extremely agitated by the disputes between the King and his parliaments. Between these two parties there is a middle patriotic one, proceeding with a steady step to recover from both what they can for the nation, and I think they will obtain a pretty good constitution. It is now pretty certain they will call the States General the next year, and probably in the month of May. It is expected that Assembly will endeavor to fix some certain limits to the royal authority. The Swedes have commenced hostilities against the Russians, and obtained a small advantage in an engagement on the Baltic. The Russians have had two considerable actions on the Black Sea with the Turks. The first was in their favor, the second a complete victory. In the first, Admiral Paul Jones commanded the

Digitized by Google

right wing. He was not at the second action. He commands the ships of war on that sea. Both actions were by the Russian galleys, commanded by the Prince of Nassau, and Paul Jones seems to have been accidentally present in the first. These victories will probably have a great effect. This country wishes to keep out of the war, but I doubt the possibility of it. Your affectionate friend and humble servant.

TO HIS EXCELLENCY THE COUNT DE MOUSTIER.

PARIS, August 9, 1788.

DEAR SIR,—Though your numerous and well-informed correspondents here must keep you constantly *au courant* of what passes in Europe, yet I cannot relinquish the privilege of writing to you altogether, merely because I can tell you nothing but what you learn better from other hands. You will have heard of the astonishing revolution in the politics of Sweden, which has lately carried her into the scale favored by England and opposed to France. Hostilities were commenced by the Swedes, by the attack of a small Russian post. They pretend the Russians had previously entered on their territory and burnt a village or two, but it is believed that this pretended aggression was by Swedes themselves in Cossack dress, to give a color for hostilities where none existed before. It is said, and believed, there has been a naval action on the Baltic, wherein the

Digitized by Google

Russians were obliged to retire, with the loss of two ships. But the latter have been more fortunate in two actions against the Turks, on the Black Sea. In the first, they but barely repulsed the Turks, with the loss of three vessels of the latter. In the second, they obtained a complete and decisive victory. I think there is a hope that Denmark will still oppose itself to Sweden. If so, the balance of naval power will still be preserved in some degree; for though Sweden may return to France on a future occasion if the latter should not be obliged to enter into the present war, if she does enter into it, I apprehend Sweden will ultimately arrange herself with the adverse party. And that she must enter into, in the long run, I think extremely probable. I sincerely wish this may not be, till she shall have arranged her internal affairs. These, in my opinion, are going on in the fairest way possible to produce good to the body of the nation. The progress already made is great, and the cry for further improvement, without being strong enough to induce government to draw the sword and crush the opposition, is strong enough to goad them on towards the establishment of a constitution. I think that among the ministers themselves there are some good patriots who are not entirely displeased at this degree of violence. It is already announced that the States General will be called in 1789, and I have tolerably good information that an *Arret* will appear the day after to-morrow announcing them for May, 1789; but my

Digitized by Google

letters must go off to-morrow, so that this intelligence cannot be confirmed in them. You will have heard that the Baron de Breteuil is retired, and Monsieur de Villedeuil in his place. M. de Malesherbes has endeavored to retire, but as yet he is overpowered by strong intercession. The Maréchal de Richelieu died yesterday. The Maréchal de Vaux is at the point of death in Dauphine. The Ambassadors of Tippoo Saib are to be received to-morrow at Versailles in great pomp. I go to see this *jeu d'enfants*. I wish Madame de Brehan could be there to paint it. By this time, I am afraid she is ready to do justice to my information on the subject of my own country, that the Cultivateur Americaine had been too much disposed to see the fair side; that it had two sides as well as all other countries, etc. I beg her indulgence for our foibles, and a continuance particularly of her partiality to me. Be so good as to present me very affectionately to her, and to be assured of the sincerity of the esteem and attachment with which I have the honor to be, dear Sir, your most obedient, and most humble servant.

TO JOHN JAY.

PARIS, August 10, 1788.

SIR,—I have waited till the last moment of Mrs. Barclay's departure, to write you the occurrences since my letter of the 3d instant. We have received the Swedish account of an engagement between their

Digitized by Google

fleet and the Russian, on the Baltic, wherein they say they took one, and burned another Russian vessel, with the loss of one on their side, and that the victory remained with them. They say, at the same time, that their fleet returned into port, and the Russians kept the sea; we must, therefore, suspend our opinion, till we get the Russian version of this engagement. The Swedish manifesto was handed about to-day at Versailles, by the Swedish ambassador, in manuscript. The King complains that Russia has been ever endeavoring to sow divisions in his kingdom, in order to re-establish the ancient constitution; that he has long borne it, through a love of peace, but finds it no longer bearable; that still, however, he will make peace on these conditions: 1, that the Empress punishes her Minister for the note he gave in to the court of Stockholm; 2, that she restore Crimea to the Turks; and 3, that she repay to him all the expenses of his armament. The Russian force in vessels of war, on the Black Sea, are five frigates and three ships of the line; but those of the line are shut up in port, and cannot come out, till Oczakow shall be taken. This fleet is commanded by Paul Jones, with the rank of rear-admiral. The Prince of Nassau commands the galleys and gunboats. It is now ascertained that the States General will assemble the next year, and probably in the month of May. Tippoo Saib's ambassadors had their reception to-day at Versailles, with unusual pomp. The presence was so numerous, that little

Digitized by Google

could be caught of what they said to the King, and he answered to them; from what little I could hear, nothing more passed than mutual assurances of good will. The name of the Maréchal de Richelieu is sufficiently remarkable in history, to justify my mentioning his death, which happened two days ago: he was aged ninety-two years.

I have the honor to be, with sentiments of the most perfect esteem and respect, Sir, your most obedient and most humble servant.

TO JOHN JAY.

PARIS, August 11, 1788.

SIR,—In my letter of the last night, written in the moment of Mrs. Barclay's departure, I had the honor of mentioning to you, that it was now pretty certain that the States General would be assembled in the next year, and probably in the month of May. This morning an *Arret* is published, announcing that their meeting is fixed on the first day of May next, of which I enclose you a copy by post, in hopes it will get to Bordeaux in time for Mrs. Barclay. This *Arret* ought to have a great effect towards tranquillizing the nation. There are still, however, two circumstances which must continue to perplex the administration. The first is, the want of money, occasioned not only by the difficulty of filling up the loan of the next year, but by the withholding the ordinary supplies of taxes, which is said to have taken place in

Digitized by Google

some instances: this gives apprehension of a bankruptcy under some form or other, and has occasioned the stocks to fall in the most alarming manner. The second circumstance is, that justice, both civil and criminal, continues suspended. The parliament will not resume their functions, but with their whole body and the greater part of the baillages declined acting; the present *Arret* announces a perseverance in this plan. I have information from Algiers, of the 5th of June, that the plague is raging there with great violence; that one of our captives was dead of it, and another ill, so that we have there, in all, now, only fifteen or sixteen; that the captives are more exposed to its ravages than others; that the great redemptions by the Spaniards, Portuguese and Neapolitans, and the havoc made by the plague, had now left not more than four hundred slaves in Algiers; so that their redemption was become not only exorbitant, but almost inadmissible; that common sailors were held at four hundred pounds sterling, and that our fifteen or sixteen could probably not be redeemed for less than from twenty-five to thirty thousand dollars. An Algerine cruiser, having twenty-eight captives of Genoa aboard, was lately chased ashore by two Neapolitan vessels; the crew and captives got safe ashore, and the latter, of course, recovered their freedom. The Algerine crew was well treated, and would be sent back by the French. But the government of Algiers demands of France sixty thousand sequins, or twenty-seven thousand pounds

Digitized by Google

sterling, for the captives escaped; that is, nearly one thousand pounds each. The greater part of the regency were for an immediate declaration of war against France; but the Dey urged the heavy war the Turks were at present engaged in; that it would be better not to draw another power on them, at present; that they would decline renewing the treaty of one hundred years, which expired two years ago, so as to be free to act hereafter; but for the present, they ought to accept payment for the captives as a satisfaction. They accordingly declared to the French consul that they would put him and all his countrymen there into irons, unless the sixty thousand sequins were paid; the consul told them, his instructions were, positively, that they should not be paid. In this situation stood matters between that pettifogging nest of robbers, and this great kingdom, which will finish, probably, by crouching under them, and paying the sixty thousand sequins. From the personal characters of the present administration, I should have hoped, under any other situation than the present, they might have ventured to quit the beaten track of politics hitherto pursued, in which the honor of their nation has been calculated at nought, and to join in a league for keeping up a perpetual cruise against these pirates, which, though a slow operation, would be a sure one for destroying all their vessels and seamen, and turning the rest of them to agriculture. But a desire of not bringing upon themselves another diffi-

Digitized by Google

culty, will *probably* induce the ministers to do as their predecessors have done.

August 12. The enclosed paper of this morning, gives some particulars of the action between the Russians and Swedes, the manifesto of the Empress, and the declaration of the court of Versailles, as to the affair of Trincomcale.

I have the honor to be, with sentiments of perfect esteem and respect, Sir, your most obedient, and most humble servant.

TO WILLIAM CARMICHAEL.

PARIS, August 12, 1788.

DEAR SIR,—Since my last to you, I have been honored with yours of the 18th and 29th of May, and 8th of June. My latest American intelligence is of the 24th of June, when nine certainly, and probably ten States, had accepted the new Constitution, and there was no doubt of the eleventh (North Carolina), because there was no opposition there. In New York, two-thirds of the State were against it, and certainly, if they had been called to the decision in any other stage of the business, they would have rejected it; but before they put it to the vote, they would certainly have heard that eleven States had joined in it, and they would find it safer to go with those eleven, than put themselves into opposition, with Rhode Island only. Though I am much pleased with this successful issue of the new Constitution, yet

Digitized by Google

I am more so, to find that one of its principal defects (the want of a declaration of rights) will pretty certainly be remedied. I suppose this, because I see that both people and conventions, in almost every State, have concurred in demanding it. Another defect, the perpetual re-eligibility of the same President, will probably not be cured during the life of General Washington. His merit has blinded our countrymen to the danger of making so important an officer re-eligible. I presume there will not be a vote against him in the United States. It is more doubtful who will be Vice-President. The age of Dr. Franklin, and the doubt whether he would accept it, are the only circumstances that admit a question, but that he would be the man. After these two characters of first magnitude, there are so many which present themselves equally, on the second line, that we cannot see which of them will be singled out. John Adams, Hancock, Jay, Madison, Rutledge, will all be voted for. Congress has acceded to the prayer of Kentucky, to become an independent member of the Union. A committee was occupied in settling the plan of receiving them, and their government is to commence on the 1st day of January next.

You are, I dare say, pleased, as I am, with the promotion of our countryman, Paul Jones. He commanded the right wing, in the first engagement between the Russian and Turkish galleys; his absence from the second proves his superiority over the Captain Pacha, as he did not choose to bring his ships

Digitized by Google

into the shoals in which the Pacha ventured, and lost those entrusted to him. I consider this officer as the principal hope of our future efforts on the ocean. You will have heard of the action between the Swedes and Russians, on the Baltic; as yet, we have only the Swedish version of it. I apprehend this war must catch from nation to nation, till it becomes general.

With respect to the internal affairs of this country, I hope they will be finally well arranged, and without having cost a drop of blood. Looking on as a bystander, no otherwise interested, than as entertaining a sincere love for the nation in general, and a wish to see their happiness promoted, keeping myself clear of the particular views and passions of individuals, I applaud extremely the patriotic proceedings of the present ministry. Provincial Assemblies established, the States General called, the right of taxing the nation without their consent abandoned, corvées abolished, torture abolished, the criminal code reformed, are facts which will do eternal honor to their administration, in history. But were I their historian, I should not equally applaud their total abandonment of their foreign affairs. A bolder front in the beginning would have prevented the first loss, and, consequently, all the others. Holland, Prussia, Turkey and Sweden, lost without the acquisition of a single new ally, are painful reflections, for the friends of France. They may, indeed, have in their places, the two empires, and perhaps

Digitized by Google

Denmark; in which case, physically speaking, they will stand on as good ground as before, but not on as good moral ground. Perhaps, seeing more of the internal working of the machine, they saw, more than we do, the physical impossibility of having money to carry on a war. Their justification must depend on this, and their atonement, on the internal good they are doing to their country; this makes me completely their friend.

I am, with great esteem and attachment, dear Sir, your friend and servant.

TO MR. J. RUTLEDGE, JUNIOR.

PARIS, August 12, 1788.

DEAR SIR,—Obliged to make one letter serve for yourself and Mr. Shippen, I have the honor to acknowledge the receipt of your favor of August the 1st, and his of July the 12th and 31st. By news from Virginia of the 12th of June, when their convention had been eleven days in session, there was no doubt but that she, soon after that date, would give the ninth vote in favor of the new Constitution. New Hampshire acceded to it on the 24th of June. Of North Carolina no doubt is entertained. Congress have agreed to the independence of Kentucky. An *Arret* was published here yesterday announcing that the convocation of the States General should be for the 1st of May next, and in the meantime suspending the *cours pleniere*, but persevering in the

Digitized by Google

parliamentary reform. This, I think, secures the reformation of their constitution without bloodshed. You will already have heard of the commencement of hostilities between Sweden and Russia. This war, I think, will catch from nation to nation till it becomes general. I imagine you will find it unsafe to proceed from Vienna to Constantinople. I do not think the object will justify any personal risk. Mr. Short is not yet decided as to his route, or the time of his beginning it. I am, with very great esteem, dear Sir, your friend and servant.

TO JOHN JAY.

PARIS, August 20, 1788.

SIR,—I had the honor to write to you on the 3d, 10th, and 11th instant, with a postscript of the 12th; all of which went by Mrs. Barclay. Since that date, we have received an account of a third victory obtained by the Russians over the Turks, on the Black Sea, in which the Prince of Nassau, with his galleys, destroyed two frigates, three smaller vessels, and six galleys. The Turkish power on that sea, is represented by their enemies as now annihilated. There is reason to believe, however, that this is not literally true, and, that aided by the supplies furnished by the English, they are making extraordinary efforts to re-establish their marine. The Russian Minister here has shown the official report of Admiral Greigh, on the combat of July the 17th, in which he

Digitized by Google

claims the victory, and urges in proof of it, that he kept the field of battle. This report is said to have been written on it. As this paper, together with the report of the Swedish admiral, is printed in the Leyden gazette of the 15th instant, I enclose it to you. The court of Denmark has declared, it will furnish Russia the aid stipulated in their treaty; and it is not doubted they will go beyond this, and become principals in the war. The next probable moves are, that the King of Prussia will succor Sweden; and Poland, Russia, by land; and a possible consequence is, that England may send a squadron into the Baltic, to restore equilibrium in that sea. In my letter of the 11th, I observed to you, that this country would have two difficulties to struggle with, till the meeting of their States General, and that one of these was the want of money: this has, in fact, overborne all their resources, and the day before yesterday, they published an *Arret*, suspending all reimbursements of capital, and reducing the payments of the principal mass of demands for interest, to twelve sous in the livre; the remaining eight sous to be paid with certificates. I enclose you a newspaper with the *Arret*. In this paper, you will see the exchange of yesterday, and I have inserted that of the day before, to show you the fall. The consternation is, as yet, too great to let us judge of the issue. It will probably ripen the public mind to the necessity of a change in their constitution, and to the substituting the collected wisdom of the whole, in place of a single will, by

Digitized by Google

which they have been hitherto governed. It is a remarkable proof of the total incompetency of a single head to govern a nation well, when, with a revenue of six hundred millions, they are led to a declared bankruptcy, and to stop the wheels of government, even in its most essential movements, for want of money.

I send the present letter by a private conveyance to a sea port, in hopes a conveyance may be found by some merchant vessel.

I have the honor to be, with sentiments of the most perfect esteem and respect, Sir, your most obedient, and most humble servant.

TO MR. CUTTING.

PARIS, August 23, 1788.

DEAR SIR,—I have duly received your favors of the 3d, 8th, 14th and 15th instant, and have now the honor of enclosing you a letter of introduction to Doctor Ramsay.

I think a certainty that England and France must enter into the war, was a great inducement to the ministry here, to suspend the portion of public payments which they have lately suspended. By this operation, they secure two hundred and three millions of livres, or eight millions and a half of guineas, in the course of this and the ensuing year, which will be sufficient for the campaign of the first year: for what is to follow, the States General must provide.

Digitized by Google

The interesting question now is, how the States General shall be composed? There are three opinions. 1. To place the three estates, Clergy, Noblesse, and Commons, in three different Houses. The Clergy would, probably, like this, and some of the Nobility; but it has no partisans out of those orders. 2. To put the Clergy and Noblesse into one House, and the Commons into another. The Noblesse will be generally for this. 3. To put the three orders into one House, and make the Commons the majority of that House. This reunites the greatest number of partisans, and I suspect it is well patronized in the ministry, who, I am persuaded, are proceeding *bona fide*, to improve the constitution of their country. As to the opposition which the English expect from the personal character of the King, it proves they do not know what his personal character is. He is the honestest man in his kingdom, and the most regular and economical. He has no foible which will enlist him against the good of his people; and whatever constitution will promote this, he will befriend. But he will not befriend it obstinately: he has given repeated proofs of a readiness to sacrifice his opinion to the wish of the nation. I believe he will consider the opinion of the States General, as the best evidence of what will please and profit the nation, and will conform to it. All the characters at court may not be of this disposition, and from thence may, possibly, arise representations, capable of leading the King astray; but upon a full view of all circumstances,

Digitized by Google

I have sanguine hopes, that such a constitution will be established here, as will regenerate the energy of the nation, cover its friends, and make its enemies tremble. I am, with very great esteem, dear Sir, your friend and servant.

TO JOHN JAY.

PARIS, September 3, 1788.

SIR,—By Mrs. Barclay I had the honor of sending you letters of the 3d, 10th and 11th of August: since which, I wrote you of the 20th of the same month, by a casual conveyance, as is the present.

In my letter of the 20th, I informed you of the act of public bankruptcy which had taken place here. The effect of this would have been a forced loan of about one hundred and eighty millions of livres, in the course of the present and ensuing year. But it did not yield a sufficient immediate relief. The treasury became literally moneyless, and all purposes depending on this mover, came to a stand. The Archbishop was hereupon removed, with Monsieur Lambert, the Comptroller General; and Mr. Neckar was called in, as Director General of the finance. To soften the Archbishop's dismission, a cardinal's hat is asked for him from Rome, and his nephew promised the succession to the Archbishopric of Sens. The public joy, on this change of administration, was very great indeed. The people of Paris were amusing themselves with trying and burning

Digitized by Google

the Archbishop in effigy, and rejoicing on the appointment of Mr. Neckar. The commanding officer of the city guards undertook to forbid this, and not being obeyed, he charged the mob with fixed bayonets, killed two or three, and wounded many: this stopped their rejoicings for that day; but enraged at being thus obstructed in amusements wherein they had committed no disorder whatever, they collected in great numbers the next day, attacked the guards in various places, burnt ten or twelve guard houses, killed two or three of the guards, and had about six or eight of their own number killed. The city was hereupon put under martial law, and after a while, the tumult subsided, and peace was restored. The public stocks rose ten per cent. on the day of Mr. Neckar's appointment: he was immediately offered considerable sums of money, and has been able so far to waive the benefit of the act of bankruptcy, as to pay in cash all demands, except the *remboursements des capitaux*. For these, and for a sure supply of other wants, he will depend on the States General, and will hasten their meetings, as is thought. No other change has yet taken place in the administration. The minister of war, however, must certainly follow his brother, and some think, and all wish, that Monsieur de Lamoignon, the Garde des Sceaux, may go out also. The administration of justice is still suspended. The whole kingdom seems tranquil at this moment.

Abroad, no event worth noting has taken place,

Digitized by Google

since my last. The court of Denmark has not declared it will do anything more than furnish the stipulated aid to Russia. The King of Prussia has, as yet, made no move which may decide whether he will engage in the war, nor has England sent any squadron into the Baltic. As the season for action is considerably passed over, it is become more doubtful, whether any other power will enter the lists till the next campaign: this will give time for stopping the further progress of the war, if they really wish to stop it. Two camps, of twenty-five thousand men each, are forming in this country, on its northern limits. The Prince of Condé has the command of one, and the Duke de Broglio of the other.

I trouble you with the enclosed letter from a Henry Watson, claiming prize moneys, as having served under Admiral Paul Jones, which, I suppose, should go to the treasury, or war office. I have the honor to be, with sentiments of the most perfect esteem and respect, Sir, your most obedient, and most humble servant.

TO THE COMMISSIONERS OF THE TREASURY.

PARIS, September 6, 1788.

GENTLEMEN,—Your favor of July the 3d, came to hand some days ago, and that of July the 22d, in the afternoon of yesterday. Knowing that a Mr. Vannet was to leave Paris this morning, to go to Virginia in a vessel bound from Havre to Potomac, I have

Digitized by Google

engaged him to receive the papers which are the subject of those letters; to take care of them from thence to Havre, and on the voyage; and when he shall have arrived in the Potomac, instead of going directly to Richmond, as he intended, he will proceed with them himself, to New York. I shall pay here, all expenses to their delivery at the ship's side in America, freight included; unless, perhaps, he may find it necessary to put another covering over them, if he should not be able to get them into the cabin; in this case, you will have to reimburse him for that. I engage to him, that you shall pay him their transportation from the ship's side to New York, and his own reasonable expenses from the place of his landing to New York, and back to the place of landing. As he takes that journey for this object only, it would be reasonable that you give him some gratuity for his time and trouble, and I suppose it would be accepted by him; but I have made no agreement for this. The papers are contained in a large box, and a trunk. They were sent here by Mr. Ast during my absence in Holland. When they arrived at the gates of Paris, the officers of the customs opened the trunk, to see whether it contained dutiable articles; but finding only books and papers, they concluded the contents of the box to be of the same nature, and did not open that. You receive it, therefore, as it came from the hands of Mr. Ast. A small trunk, which came as a third package from Mr. Ast, and which has never been opened, I have put into the great trunk, with-

Digitized by Google

out displacing, or ever having touched a single paper, except as far as was necessary, to make room for that. I shall have the whole corded and plumbed by the Custom house here, not only to prevent their being opened at the Custom houses on the road, and at the port of exportation, but to prove to you, whether they shall have been opened by anybody else, after going out of my hands. If the stamped leads are entire, and the cords uncut, when you receive them, you will be sure they have not been opened; they will be wrapt in oil cloth here, to guard them against the damps of the sea, and as I mentioned before, Mr. Vannet will put them under another covering, if he finds it necessary, at Havre.

At the same time with your last letter, I received from the office of Foreign Affairs, the ratification by Congress of the loan of 1788, for another million of guilders. As the necessity of this loan resulted from the estimate made by Mr. Adams and myself, which estimate was laid before Congress, I suppose their ratification of the loan, implies that of the estimate. One article of this was for the redemption of our captives at Algiers. Though your letter says nothing on this subject, I am in hopes you have sent orders to the commissioners of the loans at Amsterdam, to furnish, as soon as they shall have it, what may be necessary for this pressing call. So also for the foreign officers. If the ratification of the loan has been made by Congress, with a view to fulfil the objects of the estimate, a general order from you to

Digitized by Google

the commissioners of the loans at Amsterdam, to pay the moneys from time to time, according to that estimate, or to such other as you shall furnish them with, might save the trouble of particular orders on every single occasion, and the disappointments arising from the delay or miscarriage of such orders; but it is for you to decide on this.

I have the honor to be, with sentiments of the most perfect respect, Gentlemen, your most obedient, and most humble servant.

TO MR. RUTLEDGE.

PARIS, September 9, 1788.

DEAR SIR,—I have duly received your favors of August 30th and September 4th. The animal, whose skin you saw here, is called the Moose. Monsieur de Buffon had well known it by name; but he has supposed it to be the same as the Rennedeer of Lapland, in his history. Being satisfied myself that it was a different animal, I asked the favor of General Sullivan to have one killed for me, and to send me the skin and skeleton. This is what you saw, it is found only eastward of the Hudson river. M. de Buffon describes the Renne to be about three feet high, and truly, the Moose you saw here was seven feet high, and there are some of them ten feet high. The experiment was expensive to me, having cost me hunting, curing, and transporting, sixty guineas. The animal whose enormous bones are found on the

Digitized by Google

Ohio, is supposed by M. de Buffon and M. Daubenton to have been an Elephant. Dr. Hunter demonstrated it not to have been an Elephant. Similar bones are found in Siberia, where it is called the Mammoth. The Indians of America say it still exists very far north in our continent. I suppose there is no such thing at Geneva as a copy of my notes on Virginia, or you might see the subject treated there somewhat at length, as also some short notice of the Moose. I am glad to hear you have been so happy as to become acquainted with M. de Saussure. He is certainly one of the best philosophers of the present age. Cautious in not letting his assent run before his evidence, he possesses the wisdom which so few possess of preferring ignorance to error. The contrary disposition in those who call themselves philosophers in this country classes them in fact with the writers of romance. You have heard that Virginia has acceded to the new Constitution. New York has done the same by a majority of five. No news from North Carolina. Congress were proceeding early in July to put the new government into motion, probably it will be December or January before the new Legislature is assembled. Were I to trouble Mr. Shippen with a letter, I could only repeat the same things over again. Be so good as to say this to him, to deliver him the enclosed letter with my friendly compliments, and to accept yourself assurances of the esteem with which I am, dear Sir, your most obedient humble servant.

Digitized by Google

TO MR. CUTTING.

PARIS, September 9, 1788.

DEAR SIR,—Your favor of the 6th instant is just come to hand. To answer your quotations from the English papers by reversing every proposition, would be to give you the literal truth, but it would be tedious. To lump it by saying every tittle is false, would be just but unsatisfactory. I will take the middle course, and give you a summary of political information as far as possessed here on tolerably sure grounds. On the Baltic nothing of note since the first great action. That was pretty equal in loss, but rather favorable to the Russians in appearance, because they kept the field while the Swedes retired into port. Since that the Swedes have had a sixty-four gun ship, the Gustavus Adolphus, run ashore and burnt, and the crew captured by the Russians. Their fleet is rather confined within port, I believe we may say blocked up, by Admiral Greigh. On land there has been nothing but a petite guerre. The Swedes have failed in every enterprise. There is considerable discontent in the Swedish Senate and nation, because the King, contrary to their constitution, has commenced an *offensive war* without consulting the Senate. On the Black Sea nothing has happened since the first victory obtained by the Prince of Nassau and Paul Jones, and the second and third by the Prince of Nassau. The Captain Pacha has thrown himself into Oczakow, made a sortie, and

Digitized by Google

considerably discomfited the Russians. The particulars not known; but the siege continues. The Emperor's army has suffered much by sickness and desertion, but more by imbecility. He has certainly let a campaign pass over without doing anything. Denmark has notified Sweden and the other courts that she will furnish the stipulated aid to Russia. England and Prussia have offered their mediation, and Denmark is endeavoring to counterpoise their interference by getting this court to offer to join in the mediation. The ministerial revolution here is the Archbishop of Sens, and Mr. Lambert, gone out, and Mr. Neckar come in, in lieu of the last; nobody will succeed the former, that is to say there will be no premier. Probably M. de Brienne, minister of war, will go out, as his brother is out; and it may be doubted whether M. de Lamorignon will not also go. He is Garde de Sceaux, as you know; there is no present appearance of any other change. A bed of justice will be held within a few days to revoke all that was done in that of the 8th of May, and to recall the parliaments. The States General will be called in January, probably. The two camps of twenty-five thousand men each, in the north of France, are now assembling. They are commanded by the Prince of Condé and Duke de Broglio. This is the sum of affairs as far as can be affirmed with certainty. If anything remarkable still turns up before your departure, I will do myself the pleasure of writing to you. I am, with great esteem, dear Sir, your most obedient humble servant.

Digitized by Google

TO THE COUNT DE MONTMORIN.

PARIS, September 11, 1788.

SIR,—In the course of the last war, the house of Schweighauser and Dobrée, of Nantes, and Puchilberg of L'Orient, presented to Dr. Franklin a demand against the United States of America. He, being acquainted with the circumstances of the demand, and knowing it to be unfounded, refused to pay it. They thereupon procured seizure, by judiciary authority, of certain arms and other military stores which we had purchased in this country, and had deposited for embarkation at Nantes; and these stores have remained in that position ever since. Congress have lately instructed me to put an end to this matter. Unwilling to trouble your Excellency, whenever it can be avoided, I proposed to the parties to have the question decided by arbitrators, to be chosen by us jointly. They have refused it, as you will see by their answers to my letters, copies of both which I have the honor to enclose you. I presume it to be well settled in practice, that the property of one sovereign is not permitted to be seized within the dominions of another; and that this practice is founded not only in mutual respect, but in mutual utility. To what the contrary practice would lead, is evident in the present case, wherein military stores have been stopped, in the course of a war, in which our greatest difficulties proceeded from the want of military stores. In their letter, too, they make a

Digitized by Google

merit of not having seized one of our ships of war, and certainly, the principle which admits the seizure of arms, would admit that of a whole fleet, and would often furnish an enemy the easiest means of defeating an expedition. The parties obliging me, then, to have recourse to your Excellency on this occasion, I am under the necessity of asking an order from you, for the immediate delivery of the stores and other property of the United States, at Nantes, detained by the house of Schweighauser and Dobrée, and that of Puchilberg, or by either of them, under a pretence of a judicial seizure.

I have the honor to be, with sentiments of the most perfect respect and esteem, your Excellency's most obedient, and most humble servant.

TO MONSIEUR DE REYNEVAL.

PARIS, September 16, 1788.

SIR,—I have the honor now to enclose you my observations on the alteration proposed in the consular convention. There remain only three articles of those heretofore in question between us, to which I am unable to agree; that is to say, the second, proposing still to retain personal immunities for the consuls, and others attached to their office; the eighth, proposing that the navigation code of each nation, shall be established in the territories of the other; and the ninth, insisting that the ship's roll shall be conclusive evidence, that a person belongs to the ship.

Digitized by Google

There are several new matters introduced into the draught; some of these are agreed to; others cannot be admitted, as being contrary to the same principles which had obliged me to disagree to some of the former articles. The greatest part of the eleventh, and the whole of the twelfth new articles, are in this predicament. They propose, that no person shall be arrested on board a merchant vessel, for any cause, but in presence of the consul; that no such vessel shall be visited, but in his presence; and that when the officers of justice have reason to believe that a criminal has taken refuge on board a vessel of war, the captain's word shall be conclusive evidence that he is not there.

To the objections which I had the honor of stating in my letter to his Excellency, the Count de Montmorin, I have now that of adding some other observations, of which I request your perusal. I enclose with them a draught, on the basis of the one you were pleased to give me, altered so as to reconcile it to the spirit of our laws.

I have the honor to be, with sentiments of the most perfect esteem and respect, Sir, your most obedient, and most humble servant.

TO THE MARQUIS DE LA ROUERIE.

PARIS, September 16, 1788.

SIR,—On receiving the first letters which you did me the honor to write to me, on the arrears due to

Digitized by Google

you from the United States, I informed you that I had nothing to do in the money department; that the subject of your letters belonged altogether to the treasury board, and to Mr. Grand, their banker here, to the former of whom I forwarded your letters. As I felt an anxiety, however, that the foreign officers should be paid, I took the liberty of pressing the treasury board, from time to time, to exert themselves for that effect; and I availed myself of an opportunity which occurred last spring, of setting on foot measures, which, with their approbation, might furnish the means of effecting this payment. So far my information to you went, and I added a supposition, that the treasury board would probably give orders on the subject, in the course of the month of July. But I made you no promise; it would have been strange if I had; nor does my office, nor anything I have ever said or done, subject me to the demand of immediate payment, which you are pleased to make on me, nor call on me for any declaration or answer, positive or negative.

Finding that my interference, which was friendly only, and avowed to be inofficial, has given occasion to your letter of yesterday, in a style which I did not expect, and to which I can have no motive for further exposing myself, I must take the liberty of desiring that the correspondence between us on this subject, may cease. I presume that the certificate given you, points out the person, here or elsewhere, to whom your applications are to be made, and that he

Digitized by Google

will inform you when he receives orders on your subject. I am, Sir, your humble servant.

TO WILLIAM SHORT.

PARIS, September 20, 1788.

DEAR SIR,—The evening of your departure, a letter came by the way of London and New York, addressed to you, and probably from Virginia. I think you wished your American letters to remain here; I shall therefore keep it. The passport now enclosed, came the day after your departure; so also did a mass of American letters for me, as low down as August the 10th. I shall give you their substance. The convention of Virginia annexed to their ratification of the new Constitution a copy of the State declaration of rights, not by way of condition, but to announce their attachment to them. They added, also, propositions for specific alterations of the Constitution. Among these was one for rendering the President incapable of serving more than eight years, in any term of sixteen. New York has followed the example of Virginia, expressing the substance of her bill of rights, (that is Virginia's,) and proposing amendments: these last differ much from those of Virginia; but they concur as to the President, only proposing that he shall be incapable of being elected more than twice. But I own I should like better than either of these what Luther Martin tells us was repeatedly voted and adhered to by the federal convention, and

Digitized by Google

only altered about twelve days before their rising, when some members had gone off; to wit, that he should be elected for seven years, and incapable for ever after. But New York has taken another step, which gives uneasiness; she has written a circular letter to all the legislatures, asking their concurrence in an immediate convention for making amendments. No news yet from North Carolina. Electors are to be chosen the first Wednesday in January; the President to be elected the first Wednesday in February; the new legislature to meet the first week in March: the place is not yet decided on. Philadelphia was first proposed, and had six and a half votes; the half vote was Delaware, one of whose members wanted to take a vote on Wilmington; then Baltimore was proposed and carried, and afterwards rescinded, so that the matter stood open as ever on the 10th of August; but it was allowed the dispute lay only between New York and Philadelphia, and rather thought in favor of the last. The Rhode Island delegates had retired from Congress. Dr. Franklin was dangerously ill of the gout and stone on the 21st of July. My letters of August the 10th not mentioning him, I hope he was recovered. Warville, etc., were arrived. Congress had referred the decision, as to the independence of Kentucky, to the new government. Brown ascribes this to the jealousy of the northern States, who want Vermont to be received at the same time, in order to preserve a balance of interests in Congress. He was just set-

Digitized by Google

ting out for Kentucky, disgusted, yet disposed to persuade to an acquiescence, though doubting they would immediately separate from the Union. The principal obstacle to this, he thought, would be the Indian war.

The following is a quotation from a letter from Virginia, dated July the 12th: "P——n, though much impaired in health, and in every respect in the decline of life, showed as much zeal to carry the new Constitution as if he had been a young man; perhaps more than he discovered, in the commencement of the late revolution, in his opposition to Great Britain. W——e acted as chairman to the committee of the whole, and, of course, took but little part in the debate; but was for the adoption, relying on subsequent amendments. B——r said nothing, but was for it. The G——r exhibited a curious spectacle to view. Having refused to sign the paper, everybody supposed him against it; but he afterwards had written a letter, and having taken a part, which might be called rather vehement than active, he was constantly laboring to show that his present conduct was consistent with that letter, and that letter with his refusal to sign. M—d—n took the principal share in the debate for it; in which, together with the aid I have already mentioned, he was somewhat assisted by I—nn—s, Lee, M——l, C——n and G. N——s. M—s—n, H——y and Gr——n, were the principal supporters of the opposition. The discussion, as might be expected, where the parties

Digitized by Google

were so nearly on a balance, was conducted generally with great order, propriety and respect of either party to the other."

The assembly of Virginia, hurried to their harvests, would not enter into a discussion of the district bill, but suspended it to the next session. E. Winston is appointed a judge, vice Gabriel Jones resigned. R. Goode and Andrew Moore, Counsellors, vice B. Starke dead, and Joseph Egglestone resigned. It is said Wilson, of Philadelphia, is talked of, to succeed Mr. A. in London. *Quære?*

The dispute about Virgil's tomb and the laurel, seems to be at length settled by the testimony of two travellers, given separately, and without a communication with each other. These both say, that attempting to pluck off a branch of the laurel, it followed their hand, being, in fact, nothing more than a plant or bough, recently cut and stuck in the ground for the occasion. The Cicerone acknowledged the roguery, and said they practised it with almost every traveller to get money. You will, of course, tug well at the laurel which shall be shown you, to see if this be the true solution.

The President Dupaty is dead. Monsieur de Barentin, *premier president de la cour des aides*, is appointed Garde des Sceaux. The stocks are rather lower than when you left this. Present me in the most friendly terms to Messrs. Shippen and Rutledge. I rely on your communicating to them the news, and therefore on their pardoning me for not

Digitized by Google

repeating it in separate letters to them. You can satisfy them how necessary this economy of my time and labor is. This goes to Geneva, *poste restante*. I shall not write again till you tell me where to write to.

Accept very sincere assurances of the affection with which I am, dear Sir, your friend and servant.

TO JOHN JAY.

PARIS, September 24, 1788.

SIR,—Understanding that the vessel is not yet sailed from Havre, which is to carry my letters of the 3d and 5th instant, I am in hopes you will receive the present with them. The Russian accounts of their victories on the Black Sea, must have been greatly exaggerated. According to these, the Captain Pacha's fleet was annihilated; yet themselves have lately brought him on the stage again, with fifteen ships of the line, in order to obtain another victory over him. I believe the truth to be that he has suffered some checks, of what magnitude it is impossible to say where one side alone is heard, and that he is still master of that sea. He has relieved Oczakow, which still holds out; Choczim also is still untaken, and the Emperor's situation is apprehended to be bad. He spun his army into a long cord, to cover several hundred miles of frontier, which put it in the power of the Turks to attack with their whole force wherever they pleased. Laudon, now called to head

Digitized by Google

the imperial army, is endeavoring to collect it; but in the meantime the campaign is drawing to a close, and has been worse than fruitless. The resistance of Russia to Sweden, has been successful in every point, by sea and land. This, with the interference of Denmark, and the discontent of the Swedish nation, at the breach of their constitution, by the King's undertaking an offensive war, without the consent of the Senate, has obliged him to withdraw his attacks by land, and to express a willingness for peace; one-third of his officers have refused to serve. England and Prussia have offered their mediation between Sweden and Russia, in such equivocal terms, as to leave themselves at liberty to say it was an offer, or was not, just as it shall suit them. Denmark is asking the counter-offer of mediation from this court. If England and Prussia make a peace effectually in the north, (which it is absolutely in their power to do,) it will be a proof they do not intend to enter into the war; if they do not impose a peace, I should suspect they mean to engage themselves; as one can hardly suppose they would let the war go on in its present form, wherein Sweden must be crushed between Russia and Denmark.

The Garde des Sceaux, M. de Lamoignon, was dismissed the 14th instant, and M. de Barentin is appointed in his room. The deputies of Bretagne are released from the Bastile, and M. d'Epermesnil and M. Sabatier recalled from their confinement.

Digitized by Google

The parliament is not yet reinstated; but it is confidently said it will be this week. The stocks continue low, and the treasury under a hard struggle to keep the government in motion. It is believed the meeting of the States General will be as early as January, perhaps December. I have received a duplicate of the ratification of the loan of 1788, by Congress, and a duplicate of a letter of July the 22d, from the treasury board, on another subject, but none on that of the captives or foreign officers. I suppose some cause of delay must have intervened between the ratification of Congress, and the consequent orders of the Treasury Board. I have the honor to be, with sentiments of the most perfect esteem and respect, Sir, your most obedient, and most humble servant.

TO MR. SHIPPEN.

PARIS, September 29, 1788.

DEAR SIR,—Your favor of the 22d is just received. My occupations obliging me to economize my time and labor, where it can be done, I have, since your departure, addressed either yourself or Mr. Rutledge singly, hoping your goodness would excuse my writing to either for both. In like manner, I have lately written to Mr. Short for all three. I now take the liberty of addressing you for the triumvirate. No news yet from North Carolina; but in such a case no news is good news, as an unfavorable decision of

Digitized by Google

the 12th State would have flown like an electrical shock through America and Europe. A letter from Governor Rutledge of August 10th, says nothing of North Carolina; this silence is a proof that all was well. That convention was to meet July 23d, and not July 4th, as we had been told. A dispute is excited in Philadelphia which is likely to make a noise. Oswald, the printer, being sued, published something in his own paper relative to the cause. It was construed by the judges a contempt of the court. They made a rule against him to show cause why he should not be attached. He appeared, the attachment was awarded, and he called on to answer interrogatories. He refused to answer interrogatories. The court gave him till next morning to consider. He appeared then, and still refused. By that time, however, it would seem as if the court themselves had considered better of it, for their counsel (I suspect it was W——n), declared it was never the intention of the court to compel him to answer interrogatories, and accordingly, without proposing any, or hearing his counsel, they committed him to prison for one month, and fined him ten pounds. Hereupon petitions were signed, one to the Executive to pardon Oswald, the other to the Legislature to punish the judges. The news of this country since my letter to Mr. Short, is that the Bretagne deputies are recalled from the Bastile, and d'Epermesnil and Sabatier from their prisons; the *états généraux* are to meet in the course of January,

Digitized by Google

the court keeping the day of the month still in reserve; the parliament has returned to its functions by permission. Their first arreté has been to demand the *états généraux* in the form of 1614. Here the cloven hoof begins to appear. While the existence of parliament itself was endangered by the royal authority, they were calling for the *états généraux;* now they obtained a kind of victory, they see danger to themselves from those very *états généraux*, and determine to have them in a form which will neither merit nor command the confidence of the nation, or to prepare a ground for combatting their authority if they should be well-composed, and should propose a reformation of the parliaments. I will, immediately, according to the desire you are pleased to express, send a French copy of the notes on Virginia to the Syndic Cayla. M. Tronchin goes there himself this week. I am very sorry you are obliged to abridge your tour. With respect to your route from Milan to London, on which you were pleased to consult me, I would certainly prefer Genoa, thence along the coast to Nice, (absolutely by land, in defiance of all the persuasions you will be exposed to go by water,) thence to Toulon and Marseilles. There it will depend on your time, whether you will go by Nismes, the canal of Languedoc (in the post boat), Bordeaux, Paris and Calais, or whether you must come on directly from Marseilles to Paris and Calais. But even in the latter case, make the small deviation to Nismes, to see the most

Digitized by Google

perfect remains of antiquity which exist on earth. My absence from Paris becomes more doubtful than it was. I had hoped to go to Champagne to see the vintage. I am not certain now that my business will permit it in every case; letters sent to me here will be properly forwarded. Present my affectionate regards to your two travelling companions, and be assured of the esteem and attachment with which I am sincerely, dear Sir, your affectionate friend and servant.

TO MONSIEUR DE REYNEVAL.

PARIS, October 1, 1788.

SIR,—I have now the honor of enclosing to you a copy of the letter of September the 16th, which I had that of writing to his Excellency the Count de Montmorin, with the papers therein referred to, and of soliciting the order I have asked for. The originals were sent at the date before mentioned. Notwithstanding the refusal of the houses of Schweighauser and Dobrée, and of Puchilberg, to settle their claim against the United States by arbitration, as I proposed to them, the United States will still be ready to do them justice. But those houses must first retire from the only two propositions they have ever yet made, to wit, either a payment of their demand without discussion, or a discussion before the tribunals of the country. In the meantime, I shall hope an acknowledgment with respect to us, of

Digitized by Google

the principle which holds as to other nations; that our public property here, cannot be seized by the territorial judge. It is the more interesting to us, as we shall be more and longer exposed than other nations, to draw arms and military stores from Europe. Our preference of this country, has occasioned us to draw them from hence alone, since the peace; and the friendship we have constantly experienced from the government, will, we doubt not, on this and every other occasion, insure to us the protection of what we purchase. I have the honor to be, Sir, your friend and servant.

TO MR. CUTTING.

PARIS, Oct. 2, 1788.

DEAR SIR,—I am now to acknowledge the receipt of your favors of the 16th and 23d ultimo, and to thank you for the intelligence they conveyed. That respecting the case of the interrogatories in Pennsylvania, ought to make a noise. So evident a heresy in the common law, ought not to be tolerated on the authority of two or three civilians, who happened, unfortunately, to make authority in the courts of England. I hold it essential, in America, to forbid that any English decision which has happened since the accession of Lord Mansfield to the bench, should ever be cited in a court; because, though there have come many good ones from him, yet there is so much sly poison instilled into a great part of them, that it

Digitized by Google

is better to proscribe the whole. Can you inform me what has been done by England, on the subject of our wheat and flour? The papers say it is prohibited, even in Hanover. How do their whale fisheries turn out this year? I hope a deep wound will be given them in that article, soon, and such as will leave us in no danger from their competition. * *

I am, with very great esteem, dear Sir, your most obedient humble servant.

TO HIS EXCELLENCY THE COUNT DE MONTMORIN.

PARIS, October 23, 1788.

SIR,—I take the liberty of troubling your Excellency on the subject of the *Arret* which has lately appeared for prohibiting the importation of whale oil and spermaceti, the produce of foreign fisheries. This prohibition being expressed in general terms, seems to exclude the whale oils of the United States of America, as well as of the nations of Europe. The uniform disposition, however, which his majesty and his ministers have shown to promote the commerce between France and the United States, by encouraging our productions to come hither, and particularly those of our fisheries, induces me to hope that these were not within their view at the passing of this *Arret*. I am led the more into this opinion, when I recollect the assiduity employed for several months, in the year 1785, by the committee appointed by government to investigate the objects of commerce of the

Digitized by Google

two countries, and to report the encouragement of which it was susceptible. The result of that investigation, which his Majesty's Comptroller General did me the honor to communicate in a letter of the 22d of October, 1786, stating therein the principles which should be established for the future regulation of that commerce, and particularly distinguishing the article of whale oils by an abatement of the duties on them for the present, and a promise of farther abatement after the year 1790. The thorough re-investigation with which Monsieur de Lambert honored this subject, when the letter of 1786 was to be put into the form of an *Arret*, that *Arret* itself bearing date the 29th of December last, which ultimately confirmed the abatement of duty, present and future, and Hord declared that his Majesty reserved himself to grant other favors to that production, if, on further information, he shall find it for the interest of the two nations;—and finally, the letter in which M. Lambert did me the honor to enclose the *Arret*, and to assure me that the duties which had been levied on our whale oils contrary to the intention of our letter of 1786, should be restored. On a review of all these circumstances, I cannot but presume that it has not been intended to reverse in a moment views so maturely digested and uniformly pursued; and that the general expressions of the *Arret* of September the 28th, had within their contemplation the nations of Europe only. This presumption is further strengthened by having observed that in the treaties

Digitized by Google

of commerce, made since the epoch of our independence, the *jura gentis amici* form conceded to other nations, are expressly restrained to those of the most favored European nations: his Majesty wisely foreseeing that it would be expedient to regulate the commerce of a nation, which brings nothing but raw materials to employ the industry of his subjects, very differently from that of the European nations, who bring mostly what has already passed through all the stages of manufacture. On these considerations, I take the liberty of asking information from your Excellency as to the intent of the late *Arret;* and if I have not been mistaken in supposing it did not mean to abridge that of December 29th, I would solicit an explanatory *Arret*, to prevent the misconstructions of it which will otherwise take place. It is much to be desired, too, that this explanation could be given as soon as possible, in order that it may be handed out with the *Arret* of September 28th. Great alarm will otherwise be spread among the merchants and adventurers in the fisheries; who, confiding in the stability of regulations, which his Majesty's wisdom had so long and well matured, have embarked their fortunes in speculations in this branch of business. The importance of the subject to one of the principal members of our Union, induces me to attend with great anxiety a re-assurance from your Excellency that no change has taken place in his Majesty's views on this subject; and that his dispositions to multiply, rather than diminish

Digitized by Google

the combinations of interest between the two people, continue unaltered.

Commerce is slow in changing its channel. That between this country and the United States is as yet but beginning, and this beginning has received some checks. The *Arret* in question would be a considerable one, without the explanations I have the honor to ask. I am persuaded that a continuation of the dispositions which have been hitherto manifested towards us, will ensure effects, political and commercial, of value to both nations.

I have had too many proofs of the friendly interest your Excellency is pleased to take in whatever may strengthen the bands and connect the views of the two countries, to doubt your patronage of the present application, or to pretermit any occasion of repeating assurances of those sentiments of high respect and esteem with which I have the honor to be, your Excellency's most obedient, and most humble servant.

TO MR. SHORT.

PARIS, November 2, 1788.

DEAR SIR,— * * * * * * * Our news from America is to the beginning of October. Pennsylvania had elected its two Senators for the new government, Robert Morris and a Mr. Maclay. Morris had an arrival from China worth £150,000. An ill-understanding between Mr.

Digitized by Google

Adams and Mr. Hancock, both proposed as Vice-Presidents, and every State likely to bring forward a candidate of their own, in which case, you know, the Senate will choose from among those possessing the greatest number of votes, if there be an equality of votes. A general hail storm about the 26th of August has done great mischief from New Hampshire to Virginia. It occasioned the price of tobacco there immediately to rise to 30*s*. The King of England has for some time been at death's door. His disease is dropsical, tending to the head. A perpetual delirium, with rare and doubtful lucid intervals, makes it strongly believed to be a regular hydrocephalus, in which case the skilful pronounce either his death or insanity. The parliament was to meet yesterday on its prorogation, and it was under contemplation that they should establish a regency. Here, the Notables are in session, but they have deservedly lost their popularity. It is evident that the court wishes to give to the Tiers État a double number of votes. The bureau of Monsieur voted this by a majority of one voice only. The other bureau rejected it almost unanimously. There is a great outcry against this, and the friends of the people and of justice will try the question over again in an assembly of all the bureaux—but there seem no hopes of success. This is the first event which has shown that there will be a combination of the nobles and clergy, and consequently it will throw the people decidedly into the scale of the King. This may end

Digitized by Google

in liberty or despotism, at his will. I think that both he and his ministry are in favor of liberty, and that having twenty-three millions and a half of the people on their side, they will call the other half million to order, and show them that instead of being two thirds of the nation, they are but the forty-eighth.

TO MR. CUTTING.

PARIS, November 3, 1788.

DEAR SIR,—I have now the honor to acknowledge your favors of the 30th of September, 5th, 6th, 7th and 17th of October, which I should have done sooner, but that there was no new occurrence well ascertained and worth communicating. I think it now pretty certain that an alliance is entered into between England, Prussia, and Sweden, to which Holland is to accede, so as to make it quadruple. The Prussian army is on its march towards Holstein, under the command of Prince Frederick of Brunswick; a poor head. There is also said to be an army of 60,000 Prussians in Silesia, ready to overawe Poland, should it take side with Russia. Of this last fact, however, I am not sure. It would seem, then, as if Prussia meant to enter into the war, or is it only to induce Denmark to withdraw and leave Russia and Sweden to fight their own battles? If it does not produce this effect, will England lie by, and only engage in case France should move? These are

Digitized by Google

points uncertain as yet. One thing is certain: that this country will make no move which may engage her in war, till after her *états généraux*. The Notables meet on Thursday next, to decide on the form of composing and calling the *états généraux*. What will be their form, cannot yet be foreseen; much less what they will do. They will undoubtedly give money to the government, but probably for a short time, and make it the price of some concessions from the King for limiting his own rights, and enlarging those of the nation. They will surely provide for the regular convocation of the States General in future. Other things talked of, are a bill of rights, habeas corpus civil list, and a negative at least on legislative acts. The kingdom has been in the most perfect tranquillity since the announcing the States General for January. I doubt, however, the possibility of convoking them so soon.

Prince Henry of Russia arrived here the day before yesterday. Remarkable deaths are the Marshal de Biron and Marquis de Chastellux.

Nobody wishes more sincerely than I do to see the States, individually as well as collectively, extricate themselves from their debts. But having, in the letters I formerly gave you for South Carolina, said as much on that subject as prudence would permit me, I am afraid to add anything more. I thank you for your information on the subject of the whale fishery. After the hint I gave you, you would not expect to see the *Arret* of September 26th. I cannot

Digitized by Google

now explain it to you, nor tell you with certainty in what form it will finally rest as to us. I am, with very great esteem, dear Sir, your most obedient humble servant.

TO MR. DUMAS.

PARIS, November 3, 1788.

DEAR SIR,—I have duly received your favors of the 10th and 23d of October, and sincerely sympathize with you in your sufferings, without being able to relieve them. Nor can I even conjecture what Congress will decide as to the Brussels proposition. I should be puzzled myself to suggest anything better at this moment.

You have doubtless heard that North Carolina has thought it best to propose amendments to the new Constitution before acceding to it. She has no disposition to separate from the Union, even if no amendments be made, as she has not come to a negative decision, but left the matter open. So many States have desired alterations, that I suppose those will be made in which almost all have agreed. A bill of rights will comprehend most of them. In the meantime, the new government will go on.

The Notables meet at Versailles the day after to-morrow, to decide on the composition and convocation of the States General. Till the States shall meet, this country will probably not take any measure which may engage it in a war. In the meantime,

Digitized by Google

the King of Prussia seems itching to be engaged. He calculates only on the torpitude of the present moment in which France is: he does not seem to take into account the difference between his head and the late King's. This may be equal, perhaps, to half his army. I have the honor to be, with great esteem and attachment, dear Sir, your most obedient humble servant.

TO JOHN JAY.

PARIS, November 14, 1788.

SIR,—In my letter of December the 21st, 1787, I had the honor of acknowledging the receipt of your two favors of July the 27th, 1787, which had come to my hands December the 19th, and brought with them my full powers for treating on the subject of the consular convention. Being then much engaged in getting forward the *Arret* which came out on the 29th of December, and willing to leave some interval between that act and the solicitation of a reconsideration of our consular convention, I had declined mentioning it, for some time, and was just about to bring it on the carpet, when it became necessary for me to go to Amsterdam. Immediately after my return, which was about the last of April, I introduced the subject to the Count de Montmorin, and have followed it unremittingly, from that time. The office of Marine, as well as that of Foreign Affairs, being to be consulted in all the stages of the negotiation, has

Digitized by Google

protracted its conclusion till this time; it is at length signed this day, and I have now the honor to enclose the original, for the ratification of Congress. The principal changes effected are the following:

The clauses of the Convention of 1784, clothing consuls with privileges of the law of nations, are struck out, and they are expressly subjected, in their persons and property, to the laws of the land.

That giving the right of sanctuary to their houses, is reduced to a protection of their chancery room and its papers.

Their coercive powers over passengers are taken away; and over those, whom they might have termed deserters of their nation, are restrained to deserted seamen only.

The clause, allowing them to arrest and send back vessels, is struck out, and instead of it, they are allowed to exercise a police over the ships of their nation generally.

So is that, which declared the indelibility of the character of the subject, and the explanation and extension of the eleventh article of the treaty of amity.

The innovations in the laws of evidence are done away; and the convention is limited to twelve years' duration. Convinced that the fewer examples, the better, of either persons or causes unamenable to the laws of the land, I could have wished still more had been done; but more could not be done, with good humor. The extensions of authority given

Digitized by Google

by the convention of 1784, were so homogeneous with the spirit of this government, that they were prized here. Monsieur de Reyneval has had the principal charge of arranging this instrument with me; and, in justice to him, I must say, I could not have desired more reasonable and friendly dispositions, than he demonstrated through the whole of it.

I enclose herewith, the several schemes successively proposed between us, together with the copies of the written observations given in with them, and which served as texts of discussion, in our personal conferences. They may serve as a commentary on any passage which may need it, either now or hereafter, and as a history how any particular passage comes to stand as it does. No. 1, is the convention of 1784. No. 2, is my first scheme. No. 3, theirs in answer to it. No. 4, my next, which brought us so near together, that, in a conference on that, we arranged it in the form in which it has been signed. I add No. 5, the copy of a translation which I have put into their hands, with a request, that if they find any passages in which the sense of the original is not faithfully rendered, they will point them out to me; otherwise, we may consider it as having their approbation. This, and the convention of 1784 (marked No. 1), are placed side by side, so as to present to the eye, with less trouble, the changes made; and I enclose a number of printed copies of them, for the use of the members, who will have to

Digitized by Google

decide on the ratification. It is desirable that the ratification should be sent here for exchange, as soon as possible.

With respect to the consular appointments, it is a duty on me to add some observations, which my situation here has enabled me to make. I think it was in the spring of 1784, that Congress (harassed by multiplied applications from foreigners, of whom nothing was known but on their own information, or on that of others as unknown as themselves) came to a resolution, that the interest of America would not permit the naming any person not a citizen, to the office of consul, vice-consul, agent or commissary. This was intended as a general answer to that swarm of foreign pretenders. It appears to me, that it will be best, still to preserve a part of this regulation. *Native* citizens, on several valuable accounts, are preferable to aliens, and to citizens alien-born. They possess our language, know our laws, customs, and commerce; have, generally, acquaintance in the United States; give better satisfaction, and are more to be relied on, in point of fidelity. Their disadvantages are, an imperfect acquaintance with the language of this country, and an ignorance of the organization of its judicial and executive powers, and consequent awkwardness, whenever application to either of these is necessary, as it frequently is. But it happens, that in some of the principal ports of France, there is not a single American (as in Marseilles,

Digitized by Google

L'Orient, and Havre), in others but one (as in Nantes and Rouen), and in Bordeaux only, are there two or three. Fortunately for the present moment, most of these are worthy of appointments. But we should look forward to future times, when there may happen to be no native citizens in a port, but such as, being bankrupt, have taken asylum in France from their creditors, or young ephemeral adventurers in commerce, without substance or conduct, or other descriptions, which might disgrace the consular office, without protecting our commerce. To avail ourselves of our good *native citizens*, when we have one in a port, and when there are none, to have yet some person to attend to our affairs, it appears to me advisable, to declare, by a standing law, that no person but a native citizen shall be capable of the office of *consul*, and that the consul's presence in his port should suspend, for the time, the functions of the vice-consul. This is the rule of 1784, restrained to the office of *consul*, and to *native* citizens. The establishing this, by a standing law, will guard against the effect of particular applications, and will shut the door against such applications, which will otherwise be numerous. This done, the office of vice-consul may be given to the best subject in the port, whether citizen or alien, and that of consul be kept open for any native citizen of superior qualifications, who might come afterwards to establish himself in the port. The functions of the vice-consul would

Digitized by Google

become dormant during the presence of his principal, come into activity again on his departure, and thus spare us and them, the painful operation of revoking and reviving their commissions perpetually. Add to this, that during the presence of the consul, the vice-consul would not be merely useless, but would be a valuable counsellor to his principal, new in the office, the language, laws and customs of the country. Every consul and vice-consul should be restrained in his jurisdiction, to the port for which he is named, and the territory nearer to that than to any other consular or vice-consular port, and no idea be permitted to arise, that the grade of consul gives a right to any authority whatever over a vice-consul, or draws on any dependence.

* * * * * * * * *

It is now proper I should give some account of the state of our dispute with Schweighauser and Dobrée. In the conversation I had with Dobrée at Nantes, he appeared to think so rationally on the subject, that I thought there would be no difficulty in accommodating it with him, and I wished rather to settle it by accommodation, than to apply to the minister. I afterwards had it intimated to him, through the medium of Mr. Carnes, that I had it in idea, to propose a reference to arbitrators. He expressed a cheerful concurrence in it. I thereupon made the proposition to him formally, by letter, mentioning particularly, that we would choose our arbitrators of some neutral nation, and, of

Digitized by Google

preference, from among the Dutch refugees here. I was surprised to receive an answer from him, wherein, after expressing his own readiness to accede to this proposition, he added, that on consulting Mr. Puchilberg, he had declined it; nevertheless, he wished a fuller explanation from me, as to the subjects to be submitted to arbitration. I gave him that explanation, and he answered finally, that Mr. Puchilberg refused all accommodation, and insisted that the matter should be decided by the tribunals of the country. Accommodation being at an end, I wrote to Monsieur de Montmorin, and insisted on the usage of nations, which does not permit the effects of one sovereign to be seized in the territories of another, and subjected to judiciary decision there. I am promised that the stores shall be delivered; but the necessary formalities will occasion some delay. The King being authorized to call all causes before himself, ours will be evoked from the tribunal where it is, and will be ended by an order to deliver up the stores arrested, leaving it to the justice of Congress, to do afterwards what is right, as to the demand of Schweighauser and Dobrée. I wish I could receive instructions what to do with the stores, when delivered. The arms had certainly better be sent to America, as they are good, and yet will sell here for little or nothing. The gun stocks and old iron had better be sold here; but what should be done with the anchors? Being thoroughly persuaded that Congress wish that sub-

Digitized by Google

stantial justice should be done to Schweighauser and Dobrée, I shall, after the stores are secured, repeat my proposition of arbitration to them. If they then refuse it, I shall return all the papers to America, and consider my powers for settling this matter as at an end.

I have received no answer yet from Denmark, on the subject of the prizes; nor do I know whether to ascribe this silence to an intention to evade the demand, or to the multitude of affairs they have had on their hands lately. Patience seems to be prudence in this case; to indispose them, would do no good, and might do harm. I shall write again soon, if no answer be received in the meantime.

I have the honor to be, with sentiments of the most perfect esteem and respect, Sir, your most obedient, and most humble servant.

[The following is the translation of the convention referred to as No. 5, in the preceding letter.]

Convention between his most Christian Majesty and the United States of America, for the purpose of defining and establishing the functions and privileges of their respective Consuls and vice-Consuls.

His Majesty and most Christian King, and the United States of America, having, by the twenty-ninth article of the treaty of amity and commerce concluded between them, mutually granted the

Digitized by Google

liberty of having, in their respective States and ports, Consuls, vice-Consuls, Agents and Commissaries, and being willing, in consequence thereof, to define and establish in a reciprocal and permanent manner, the functions and privileges of Consuls and vice-Consuls, which they have judged it convenient to establish of preference, his M. C. Majesty has nominated the Sieur Count of Montmorin of St. Herent, Marechal of his Camps and Armies, Knight of his Orders and of the Golden Fleece, his Counsellor in all his Councils, Minister and Secretary of State, and of his Commandments and Finances, having the department of foreign affairs, and the United States have nominated Thomas Jefferson, of the United States of America, and their Minister Plenipotentiary near the King, who after having communicated to each other their respective full powers, have agreed on what follows:

Article I. The Consuls and vice-Consuls named by the M. C. K. and the United States, shall be bound to present their commissions according to the forms which shall be established respectively by the M. C. K. within his dominions, and by the Congress within the United States, there shall be delivered to them, without any charges, the Exequatur necessary for the exercise of their functions; and on exhibiting the said Exequatur, the governors, commanders, heads of justice, bodies corporate, tribunals and other officers having authority in the ports and places of their consulates, shall cause them

Digitized by Google

to enjoy immediately, and without difficulty, the pre-eminences, authority and privileges, reciprocally granted, without exacting from the said Consuls and vice-Consuls any fee under any pretext whatever.

Article II. The Consuls and vice-Consuls, and persons attached to their functions, that is to say, their chancellors and secretaries, shall enjoy a full and entire immunity for their chancery and the papers which shall be therein contained; they shall be exempt from all personal service, from soldiers' billets, militia, watch, guard, guardianship, trusteeship, as well as from all duties, taxes, impositions, and charges whatsoever, except on the estate real and personal of which they may be the proprietors or possessors, which shall be subject to the taxes imposed on the estates of all other individuals; and in all other instances, they shall be subject to the laws of the land, as the natives are.

Those of the said Consuls and vice-Consuls who shall exercise commerce, shall be respectively subject to all taxes, charges and impositions established on other merchants.

They shall place over the outward door of their house the arms of their sovereign; but this mark of indication shall not give to the said house, any privilege of asylum for any person or property whatsoever.

Article III. The respective Consuls and vice-Consuls may establish agents in the different ports and places of their departments, where necessity shall

Digitized by Google

require. These agents may be chosen among the merchants, either national or foreign, and furnished with a commission from one of the said Consuls; they shall confine themselves respectively to the rendering to their respective merchants, navigators, and vessels all possible service, and to inform the nearest Consul of the wants of the said merchants, navigators and vessels, without the said agents otherwise participating in the immunities, rights and privileges attributed to Consuls and vice-Consuls, and without power under any pretext whatever, to exact from the said merchants any duty or emolument whatsoever.

Article IV. The Consuls and vice-Consuls respectively, may establish a chancery, where shall be deposited the consular determinations, acts and proceedings, as also testaments, obligations, contracts, and other acts done by or between persons of their nation, and effects left by descendants, or saved from shipwreck.

They may, consequently, appoint fit persons to act in the said chancery, qualify and swear them in, commit to them the custody of the seal, and authority to seal commissions, sentences and other consular acts, and also to discharge the functions of notaries and registers of the consulate.

Article V. The Consuls and vice-Consuls respectively, shall have the exclusive right of receiving in their chancery, or on board their vessels, the declarations and all other the acts which the captains,

Digitized by Google

masters, crews, passengers and merchants of their nation may choose to make there, even their testaments and other disposals by last will; and the copies of the said acts, duly authenticated by the said Consuls or vice-Consuls, under the seal of their consulate, shall receive faith in law, equally as their originals would, in all the tribunals of the dominions of the M. C. King and the United States.

They shall also have, and exclusively, in case of the absence of the testamentary executor, guardian or lawful representative, the right to inventory, liquidate, and proceed to the sale of the personal estate left by subjects or citizens of their nation, who shall die within the extent of their consulate; they shall proceed therein with the assistance of two merchants of their said nation, or, for want of them, of any other at their choice, and shall cause to be deposited in their chancery, the effects and papers of the said estates; and no officer, military, judiciary, or of the police of the country, shall disturb them or interfere therein in any manner whatsoever; but the said Consuls and vice-Consuls shall not deliver up the said effects, nor the proceeds thereof, to the lawful representatives, or to their order, till they shall have caused to be paid all debts which the deceased shall have contracted in the country; for which purpose, the creditor shall have a right to attach the said effects in their hands, as they might in those of any other individual whatever, and proceed to obtain sale of them, till payment of what

Digitized by Google

shall be lawfully due to them. When the debts shall not have been contracted by judgment, deed or note, the signature whereof shall be known, payment shall not be ordered, but on the creditor's giving sufficient surety resident in that country, to refund the sums he shall have unduly received, principal, interest and costs; which surety, nevertheless, shall stand duly discharged after the term of one year, in time of peace, and of two, in time of war, if the discharge cannot be formed before the end of this term, against the representatives who shall present themselves.

And in order that the representatives may not be unjustly kept out of the effects of the deceased, the Consuls and vice-Consuls shall notify his death in some one of the gazettes published within their consulate, and that they shall retain the said effects in their hands four months, to answer all just demands which shall be presented; and they shall be bound, after this delay, to deliver to the persons succeeding thereto, what shall be more than sufficient for the demands which shall have been formed.

Article VI. The Consuls and vice-Consuls respectively, shall receive the declarations, protests and reports, of all captains and masters of their respective nations, on account of average losses sustained at sea; and these captains and masters shall lodge in the chancery of the said Consuls and vice-Consuls, the acts which they may have made in other ports, on account of the accidents which may have happened to them on their voyage. If a subject of the

Digitized by Google

M. C. K. and a citizen of the United States, or a foreigner, are interested in the said cargo, the average shall be settled by the tribunals of the country, and not by the Consuls or vice-Consuls; but when only the subjects or citizens of their own nation shall be interested, the respective Consuls or vice-Consuls shall appoint skilful persons to settle the damages and average.

Article VII. In cases where by tempest, or other accident, French ships or vessels shall be stranded on the coasts of the United States, and ships or vessels of the United States shall be stranded on the coasts of the dominions of the M. C. K., the Consul or vice-Consul nearest to the place of shipwreck shall do whatever he may judge proper, as well for the purpose of saving the said ship or vessel, its cargo and appurtenances, as for the storing and the security of the effects and merchandise saved. He may take an inventory of them, without the intermeddling of any officers of the military, of the customs, of justice, or of the police of the country, otherwise than to give the Consuls, vice-Consuls, captain and crew of the vessels shipwrecked or stranded, all the succor and favor which they shall ask of them, either for the expedition and security of the saving and of the effects saved, as to prevent all disturbance.

And in order to prevent all kind of dispute and discussion in the said cases of shipwreck, it is agreed that when there shall be no Consul or vice-Consul to

Digitized by Google

attend to the saving of the wreck, or that the residence of the said Consul or vice-Consul (he not being at the place of the wreck) shall be more distant from the said place than that of the competent judge of the country, the latter shall immediately proceed therein, with all the despatch, certainty and precautions, prescribed by the respective laws; but the said territorial judge shall retire, on the arrival of the Consul or vice-Consul, and shall deliver over to him the report of his proceedings, the expenses of which, the Consul or vice-Consul shall cause to be reimbursed to him, as well as those of saving the wreck.

The merchandise and effects saved, shall be deposited in the nearest Custom-house, or other place of safety, with the inventory thereof, which shall have been made by the Consul or vice-Consul, or by the judge who shall have proceeded in their absence, that the said effects and merchandise may be afterwards delivered (after levying therefrom the costs), and without form of process, to the owners, who, being furnished with an order for their delivery, from the nearest Consul or vice-Consul, shall reclaim them by themselves, or by their order, either for the purpose of re-exporting such merchandise, in which case they shall pay no kind of duty of exportation, or for that of selling them in the country, if they be not prohibited there; and in this last case, the said merchandise, if they be damaged, shall be allowed an abatement of entrance

Digitized by Google

duties, proportioned to the damage they have sustained, which shall be ascertained by the affidavits taken at the time the vessel was wrecked or struck.

Article VIII. The Consuls and vice-Consuls shall exercise police over all the vessels of their respective nations, and shall have on board the said vessels, all power and jurisdiction in civil matters, in all the disputes which may there arise; they shall have an entire inspection over the said vessels, their crew and the changes and substitutions there to be made. For which purpose, they may go on board the said vessels wherever they may judge it necessary; well understood, that the functions hereby allowed shall be confined to the interior of the vessels, and that they shall not take place in any case, which shall have any interference with the police of the ports where the said vessels shall be.

Article IX. The Consuls and vice-Consuls may cause to be arrested, the captains, officers, mariners, sailors, and all other persons, being part of the crews of the vessels of their respective nations, who shall have deserted from the said vessels, in order to send them back, and transport them out of the country. For which purpose, the said Consuls and vice-Consuls shall address themselves to the courts, judges and officers competent, and shall demand the said deserters in writing, proving by an exhibition of the registers of the vessel or ship's roll, that those men were part of the said crews; and on this demand, so proved (saving, however, where the contrary is

Digitized by Google

proved), the delivery shall not be refused; and there shall be given all aid and assistance to the said Consuls and vice-Consuls, for the search, seizure and arrest of the said deserters, who shall even be detained and kept in the prisons of the country, at their request and expense, until they shall have found an opportunity of sending them back. But if they be not sent back within three months, to be counted from the day of their arrest, they shall be set at liberty, and shall be no more arrested for the same cause.

Article X. In cases where the respective subjects or citizens shall have committed any crime, or breach of the peace, they shall be amenable to the judges of the country.

Article XI. When the said offenders shall be a part of the crew of a vessel of their nation, and shall have withdrawn themselves on board the said vessel, they may be there seized and arrested by order of the judges of the country; these shall give notice thereof to the Consul or vice-Consul, who may repair on board, if he thinks proper; but this notification shall not, in any case, delay execution of the order in question. The persons arrested, shall not afterwards be set at liberty, until the Consul or vice-Consul shall have been notified thereof; and they shall be delivered to him, if he requires it, to be put again on board of the vessels on which they were arrested, or of others of their nation, and to be sent out of the country.

Digitized by Google

Article XII. All differences and suits between the subjects of the M. C. K. in the U. S. or between the citizens of the United States within the dominions of the M. C. K. and particularly all disputes relative to the wages and terms of engagement of the crews of the respective vessels, and all differences of whatever nature they be, which may arise between the privates of the said crews, or between any of them and their captains, or between the captains of different vessels of their nation, shall be determined by the respective Consuls and vice-Consuls, either by a reference to arbitrators, or by a summary judgment, and without costs.

No officer of the country, civil or military, shall interfere therein, or take any part whatever in the matter; and the appeals from the said consular sentences, shall be carried before the tribunals of France or of the United States, to whom it may appertain to take cognizance thereof.

Article XIII. The general utility of commerce, having caused to be established within the dominions of the M. C. K. particular tribunals and forms, for expediting the decision of commercial affairs, the merchants of the U. S. shall enjoy the benefit of these establishments; and the Congress of the U. S. will provide in the manner the most conformable to its laws, equivalent advantages in favor of the French merchants, for the prompt despatch and decision of affairs of the same nature.

Article XIV. The subjects of the M. C. K. and

Digitized by Google

citizens of the U. S. who shall prove by legal evidence, that they are of the said nations respectively, shall, in consequence, enjoy an exemption from all personal service in the place of their settlement.

Article XV. If any other nation acquires, by virtue of any convention whatever, a treatment more favorable with respect to the consular pre-eminences, powers, authority and privileges, the Consuls and vice-Consuls of the M. C. K., or of the U. S. reciprocally, shall participate therein, agreeably to the terms stipulated by the second, third, and fourth articles of the treaty of amity and commerce, concluded between the M. C. K. and the U. S.

Article XVI. The present convention shall be in full force during the term of twelve years, to be counted from the day of the exchange of ratifications, which shall be given in proper form, and exchanged on both sides, within the space of one year, or sooner, if possible.

In faith whereof, we, Ministers Plenipotentiary, have signed the present convention, and have thereto set the seal of our arms.

Done at Versailles the 14th of November, one thousand seven hundred and eighty-eight.

L. C. De Montmorin. L. S. } Signed. { Th: Jefferson. L. S.

Digitized by Google

TO JAMES MADISON.

PARIS, November 18, 1788.

DEAR SIR,—My last to you was of the 31st July; since which, I have received yours of July the 24th, August the 10th and 23d. The first part of this long silence in me, was occasioned by a knowledge that you were absent from New York; the latter part, by a want of opportunity, which has been longer than usual. Mr. Shippen being just arrived here, and to set out to-morrow for London, I avail myself of that channel of conveyance. Mr. Carrington was so kind as to send me the second volume of the American Philosophical Transactions, the Federalist, and some other interesting pamphlets; and I am to thank you for another copy of the Federalist, and the report of the instructions to the ministers, for negotiating peace. The latter, unluckily, omitted exactly the passage I wanted, which was what related to the navigation of the Mississippi. With respect to the Federalist, the three authors had been named to me. I read it with care, pleasure and improvement, and was satisfied there was nothing in it by one of those hands, and not a great deal by a second. It does the highest honor to the third, as being, in my opinion, the best commentary on the principles of government, which ever was written. In some parts, it is discoverable that the author means only to say what may be best said in defence of opinions, in which he did not concur. But in gen-

Digitized by Google

eral, it establishes firmly the plan of government. I confess, it has rectified me on several points. As to the bill of rights, however, I still think it should be added; and I am glad to see, that three States have at length considered the perpetual re-eligibility of the President, as an article which should be amended. I should deprecate with you, indeed, the meeting of a new convention. I hope they will adopt the mode of amendment by Congress and the Assemblies, in which case, I should not fear any dangerous innovation in the plan. But the minorities are too respectable, not to be entitled to some sacrifice of opinion, in the majority; especially, when a great proportion of them would be contented with a bill of rights.

Here, things internally are going on well. The Notables now in session, have, indeed, passed one vote, which augurs ill to the rights of the people; but if they do not obtain now so much as they have a right to, they will in the long run. The misfortune is, that they are not yet ripe for receiving the blessings to which they are entitled. I doubt, for instance, whether the body of the nation, if they could be consulted, would accept of a habeas corpus law, if offered them by the King. If the *Etats généraux*, when they assemble, do not aim at too much, they may begin a good constitution. There are three articles which they may easily obtain: 1, their own meeting, periodically; 2, the exclusive right of taxation; 3, the right of registering laws

Digitized by Google

and proposing amendments to them, as exercised now by the parliaments. This last, would be readily approved by the court, on account of their hostility against the parliaments, and would lead immediately to the origination of laws; the second has been already solemnly avowed by the King; and it is well understood, there would be no opposition to the first. If they push at much more, all may fail. I shall not enter further into public details, because my letter to Mr. Jay will give them. That contains a request of permission to return to America, the next spring, for the summer only. The reasons therein urged, drawn from my private affairs, are very cogent. But there is another, more cogent on my mind, though of a nature not to be explained in a public letter. It is the necessity of attending my daughters, myself, to their own country, and depositing them safely in the hands of those with whom I can safely leave them. I have deferred this request as long as circumstances would permit, and am in hopes it will meet with no difficulty. I have had too many proofs of your friendship, not to rely on your patronage of it, as, in all probability, nothing can suffer by a short absence. But the *immediate* permission is what I am anxious about; as by going in April and returning in October, I shall be sure of pleasant and short passages, out and in. I must entreat your attention, my friend, to this matter, and that the answers may be sent me through several channels.

Digitized by Google

Mr. Limozin, at Havre, sent you, by mistake, a package belonging to somebody else. I do not know what it contained, but he has written to you on the subject, and prayed me to do the same; he is likely to suffer if it be not returned.

Supposing that the funding their foreign debt will be among the first operations of the new government, I send you two estimates; the one by myself, the other by a gentleman infinitely better acquainted with the subject, showing what fund will suffice to discharge the principal and interest, as it shall become due, aided by occasional loans, which the same fund will repay. I enclose them to you, because collating them together, and with your own ideas, you will be able to devise something better than either; but something must be done. This government will expect, I fancy, a very satisfactory provision for the payment of their debt, from the first session of the new Congress. Perhaps, in this matter, as well as the arrangement of your foreign affairs, I may be able, when on the spot with you, to give some information and suggest some hints, which may render my visit to my native country not altogether useless. I consider as no small advantage the resuming the tone of mind of my constituents, which is lost by long absence, and can only be recovered by mixing with them; and shall particularly hope for much profit and pleasure, by contriving to pass as much time as possible with you. Should you have a trip to Virginia in contem-

Digitized by Google

plation, for that year, I hope you will time it so as that we may be there together. I will camp you at Monticello, where, if illy entertained otherwise, you shall not want books. In firm hope of a happy meeting with you in the spring, or early in summer, I conclude with assurances of the sincere esteem and attachment with which I am, dear Sir, your affectionate friend and servant.

TO A. DONALD.

PARIS, November 18, 1788.

DEAR SIR,—Often solicited by persons on this side the water, to inquire for their friends in America, about whose fate they are uncertain, I can only hand on their requests to my friends in America. The enclosed letter from the Chevalier de Sigougne, desires some inquiry after his brother, whom he supposes to have settled at Todd's Bridge. As this is within your reach, I must refer the request to your humanity, and beg of you, if you can hear of him, you will be so good as to give me an account of him, returning me the enclosed letter at the same time.

The campaign between the Turks and Russians has been tolerably equal. The Austrians have suffered through the whole of it. By the interposition of Prussia and England, peace is likely to be made between Russia, Denmark, and Sweden. This is a proof that England does not mean to engage in

Digitized by Google

the war herself. This country will certainly engage herself in no manner, externally, before the meeting of her States General. This assembly has been so long disused, that the forms of its convocation occasion difficulty. The Notables have been convened to prescribe them, and they are now in session. I am in hopes this will end in giving a good degree of liberty to this country. They enjoy, at present, the most perfect tranquillity within; their stocks, however, continue low, and money difficult to be got for current expenses. It is hoped that Mr. Neckar's talents and popularity, with the aid of a National Assembly, will extricate them from their difficulties. We have been daily expecting to hear of the death of the King of England: our last news is of the 11th, when he was thought in the utmost danger. This event might produce a great change in the situation of things: it is supposed Mr. Fox would come into place, and he has been generally understood to be disposed for war. Should the King survive, I think the continuance of peace more probable at present, than it has been for some time past. Be so good as to contrive the enclosed letter by a very safe conveyance. Remember me in the most friendly terms to Dr. Currie, and be assured yourself of the esteem and attachment with which I am, dear Sir, your affectionate friend and servant.

Digitized by Google

TO JOHN JAY.

PARIS, November 19, 1788.

SIR,—Since my letter of September the 5th, wherein I acknowledged Mr. Remsen's favor of July the 25th, I have written those of September the 24th, and of the 14th instant. This last will accompany the present, both going by the way of London, for want of a direct opportunity; but they go by a private hand.

No late event worth notice has taken place between the Turks and Austrians. The former continue in the territories of the latter, with all the appearances of superiority. On the side of Russia, the war wears an equal force, except that the Turks are still masters of the Black Sea. Oczakow is not yet taken. Denmark furnished to Russia its stipulated quota of troops, with so much alacrity, and was making such other warlike preparations, that it was believed they meant to become principals in the war against Sweden. Russia and England hereupon interposed efficaciously. Their ministers appointed to mediate, gave notice to the court of Copenhagen, that they would declare war against them in the name of their two sovereigns, if they did not immediately withdraw their troops from the Swedish territories. The court of London has since said, that their minister (Elliot) went further in this than he was authorized. However, the Danish troops are retiring. Poland is augmenting its army from twenty to an

Digitized by Google

hundred thousand men. Nevertheless, it seems as if England and Prussia meant, in earnest, to stop the war in that quarter, contented to leave the two empires in the hands of the Turks. France, desired by Sweden to join the courts of London and Berlin in their mediation between Sweden and Russia, has declined it. We may be assured she will meddle in nothing external, before the meeting of the States General. Her temporary annihilation in the political scale of Europe, leaves to England and Prussia the splendid role of giving the law without meeting the shadow of opposition. The internal tranquillity of this country is perfect; their stocks, however, continue low, and the difficulty of getting money to face current expenses, very great. In the contest between the King and parliament, the latter, fearing the power of the former, passed the convoking the States General. The government found itself obliged by other difficulties, also to recur to the same expedient. The parliament, after its recall, showed that it was now become apprehensive of the States General, and discovered a determination to cavil at their form, so as to have a right to deny their legality, if that body should undertake to abridge their powers. The court, hereupon, very adroitly determined to call the same Notables who had been approved by the nation the last year, to decide on the form of convoking the *Etats généraux:* thus withdrawing itself from the disputes which the parliament might excite, and committing them with

Digitized by Google

the nation. The Notables are now in session. The government had manifestly discovered a disposition that the Tiers État, or Commons, should have as many representatives in the States General as the Nobility and Clergy together; but five *bureaux* of the Notables have voted by very great majorities, that they should have only an equal number with each of the other orders, singly. One *bureau*, by a majority of a single voice, had agreed to give the Commons the double number of representatives. This is the first symptom of a decided combination between the Nobility and Clergy, and will necessarily throw the people into the scale of the King. It is doubted whether the States can be called so early as January, though the government, urged by the want of money, is for pressing the convocation. It is still more uncertain, what the States will do when they meet: there are three objects which they may attain, probably without opposition, from the court: 1, a periodical meeting of the States; 2, their exclusive rights of taxation; 3, the right of enregistering laws and proposing amendments to them, as now exercised by the parliaments. This would lead, as it did in England, to the right of originating laws. The parliament would, by the last measure, be reduced to a mere judiciary body, and would probably oppose it. But against the King and nation, their opposition could not succeed. If the States stop here, for the present moment, all will probably end well, and they may, in future sessions,

Digitized by Google

obtain a suppression of *lettres de cachet*, a free press, a civil list, and other valuable modifications of their government. But it is to be feared, that an impatience to rectify everything at once, which prevails in some minds, may terrify the court, and lead them to appeal to force, and to depend on that alone.

Before this can reach you, you will probably have heard of an *Arret*, passed the 28th of September, for prohibiting the introduction of foreign whale oils, without exception. The English had glutted the markets of this country with their oils: it was proposed to exclude them, and an *Arret* was drawn, with an exception for us: in the last stage of the *Arret*, the exception was struck out, without my having any warning, or even suspicion of this. I suspect this stroke came from the Count de La Luzerne, minister of marine; but I cannot affirm it positively. As soon as I was apprized of this, which was several days after it passed (because it was kept secret till published in their seaports), I wrote to the Count de Montmorin a letter, of which the enclosed is a copy, and had conference on the subject, from time to time, with him and the other ministers. I found them prepossessed by the partial information of their Dunkirk fishermen; and therefore thought it necessary to give them a view of the whole subject in writing, which I did: in the place of which, I enclose you a printed copy. I therein entered into more details, than the question between us seemed rigorously to require. I was led to them by other

Digitized by Google

objects. The most important was, to disgust Mr. Neckar, as an economist, against their new fishery, by letting him foresee its expense. The particular manufactures suggested to them, were in consequence of repeated applications from the shippers of rice and tobacco; other details which do not appear immediately pertinent, were occasioned by circumstances which had arisen in conversation, or an apparent necessity of giving information on the whole matter. At a conference, in the presence of M. Lambert, on the 16th (where I was ably aided by the Marquis de La Fayette, as I have been through the whole business), it was agreed to except us from the prohibition. But they will require rigorous assurance, that the oils coming under our name, are really of our fishery. They fear we shall cover the introduction of the English oils from Halifax. The *Arret* for excepting us was communicated to me, but the formalities of proving the oils to be American, were not yet inserted. I suppose they will require every vessel to bring a certificate from their consul or vice-consul, residing in the State from which it comes. More difficult proofs were sometimes talked of. I supposed I might surely affirm to them, that our government would do whatever it could to prevent this fraud, because it is as much our interest as theirs, to keep the market for the French and American oils only. I am told Massachusetts has prohibited the introduction of foreign fish oils into her ports. This law, if well executed, will be an

Digitized by Google

effectual guard against fraud; and a similar one in the other States interested in this fishery, would much encourage this government to continue her indulgence to us. Though the *Arret*, then, for the re-admission of our oils, is not yet passed, I think I may assure you it will be so in a few days, and of course, that this branch of commerce, after so threatening an appearance, will be on a better footing than ever, as enjoying, jointly with the French oil, a monopoly of their markets. The continuance of this will depend on the growth of their fishery. Whenever they become able to supply their own wants, it is very possible they may refuse to take our oils; but I do not believe it possible for them to raise their fishery to that, unless they can continue to draw off our fishermen from us. Their seventeen ships, this year, had one hundred and fifty of our sailors on board. I do not know what number the English have got into their service. You will readily perceive, that there are particulars in these printed observations, which it would not be proper to suffer to become public. They were printed merely that a copy might be given to each minister, and care has been taken to let them go in no other hands.

I must now trouble Congress with a petition on my own behalf. When I left my own house in October, 1783, it was to attend Congress as a member, and in expectation of returning in five or six months. In the month of May following, however,

Digitized by Google

I was desired to come to Europe, as member of a commission, which was to continue two years only. I came off immediately, without going home to make any other arrangements in my affairs, thinking they would not suffer greatly before I should return to them. Before the close of the two years, Doctor Franklin retiring from his charge here, Congress were pleased to name me to it; so that I have been led on by events, to an absence of five years, instead of five months. In the meantime matters of great moment to others as well as myself, and which can be arranged by nobody but myself, will await no longer. Another motive of still more powerful cogency on my mind, is the necessity of carrying my family back to their friends and country. I must, therefore, ask of Congress a leave of short absence. Allowing three months on the sea, going and coming, and two months at my own house, which will suffice for my affairs, I need not be from Paris but between five and six months. I do not foresee anything which can suffer during my absence. The consular convention is finished, except as to the exchange of ratification, which will be the affair of a day only. The difference with Schweighauser and Dobrée, relative to our arms, will be finished. That of Denmark, if ever finished, will probably be long spun out. The ransom of the Algerine captives, is the only matter likely to be on hand. That cannot be set on foot till the money is raised in Holland, and an order received for its

Digitized by Google

application; probably these will take place, so that I may set it in motion before my departure; if not, I can still leave it on such a footing as to be put into motion the moment the money can be paid. And even when the leave of Congress shall be received, I will not make use of it, if there is anything of consequence which may suffer; but would postpone my departure till circumstances will admit it. But should these be as I expect they will, it will be vastly desirable to me, to receive the permission immediately, so that I may go out as soon as the vernal equinox is over, and be sure of my return in good time and season in the fall. Mr. Short, who had had thoughts of returning to America, will postpone that return till I come back. His talents and character allow me to say, with confidence, that nothing will suffer in his hands. The friendly dispositions of Monsieur de Montmorin would induce him readily to communicate with Mr. Short in his present character; but should any of his applications be necessary to be laid before the Council, they might suffer difficulty; nor could he attend the diplomatic societies, which are the most certain sources of good intelligence. Would Congress think it expedient to remove the difficulties, by naming him secretary of legation, so that he would act, of course, as chargé des affaires during my absence? It would be just that the difference between the salary of a secretary and a secretary of legation should cease, as soon as he should cease to be charged

Digitized by Google

with the affairs of the United States; that is to say, on my return; and he would expect that. So that this difference for five or six months, would be an affair of about one hundred and seventy guineas only, which would be not more than equal to the additional expense that would be brought on him necessarily by the change of character. I mention these particulars, that Congress may see the end as well as the beginning of the proposition, and have only to add, "their will be done." Leave for me being obtained, I will ask it, Sir, of your friendship, to avail yourself of various occasions to the ports of France and England, to convey me immediate notice of it, and relieve me as soon as possible from the anxiety of expectation, and the uncertainty in which I shall be. We have been in daily expectation of hearing of the death of the King of England. Our latest news are of the 11th. He had then been despaired of, for three or four days; but as my letter is to pass through England, you will have later accounts of him than that can give you. I send you the newspapers to this date, and have the honor to be, with the greatest esteem and respect, Sir, your most obedient humble servant.

P. S. The last crop of corn in France has been so short, that they apprehend want. Mr. Neckar desires me to make known this scarcity to our merchants, in hopes they would send supplies. I promised him I would. If it could be done without

Digitized by Google

naming him, it would be agreeable to him, and probably advantageous to the adventurers.

[*The annexed are the observations on the subject of admitting our whale oil in the markets of France, referred to in the preceding letter.*]

Whale oil enters, as a raw material, into several branches of manufacture, as of wool, leather, soap: it is used also, in painting, architecture and navigation. But its great consumption is in lighting houses and cities. For this last purpose, however, it has a powerful competitor in the vegetable oils. These do well in warm, still weather, but they fix with cold, they extinguish easily with the wind, their crop is precarious, depending on the seasons, and to yield the same light, a larger wick must be used, and greater quantity of oil consumed. Estimating all these articles of difference together, those employed in lighting cities find their account in giving about twenty-five per cent. more for whale, than for vegetable oils. But higher than this, the whale oil, in its present form, cannot rise; because it then becomes more advantageous to the city lighters to use others. This competition, then, limits its price, higher than which no encouragement can raise it; and it becomes, as it were, a law of its nature. But, at this low price, the whale fishery is the poorest business into which a merchant or sailor can enter. If the sailor, instead of wages, has a part of what is taken, he finds that this, one

Digitized by Google

year with another, yields him less than he could have got as wages in any other business. It is attended, too, with great risk, singular hardships, and long absence from his family. If the voyage is made solely at the expense of the merchant, he finds that, one year with another, it does not reimburse him his expense. As for example, an English ship of three hundred tons and forty-two hands, brings home, *communibus annis*, after four months' voyage, twenty-five tons of oil, worth four hundred and thirty-seven pounds ten shillings sterling. But the wages of the officers and seamen, will be four hundred pounds; the outfit, then, and the merchant's profit, must be paid by the government; and it is accordingly on this idea that the British bounty is calculated. From the poverty of this business, then, it has happened that the nations who have taken it up, have successively abandoned it. The Basques began it; but though the most economical and enterprising of the inhabitants of France, they could not continue it; and it is said they never employed more than thirty ships a year. The Dutch and Hanse towns succeeded them. The latter gave it up long ago. The English carried it on in competition with the Dutch, during the last and beginning of the present century; but it was too little profitable for them, in comparison with other branches of commerce open to them.

In the meantime, the inhabitants of the barren island of Nantucket had taken up this fishery,

Digitized by Google

invited to it, by the whales presenting themselves on their own shore. To them, therefore, the English relinquished it, continuing to them, as British subjects, the importation of their oils into England, duty free, while foreigners were subject to a duty of eighteen pounds five shillings sterling, a ton. The Dutch were enabled to continue it long, because, 1st. They are so near the northern fishing grounds, that a vessel begins her fishing very soon after she is out of port. 2d. They navigate with more economy than the other nations of Europe. 3d. Their seamen are content with lower wages: and 4th, their merchants, with a lower profit on their capital. Under all these favorable circumstances, however, this branch of business, after long languishing, is, at length, nearly extinct with them. It is said, they did not send above half a dozen ships in pursuit of the whale, this present year. The Nantuckois, then, were the only people who exercised this fishery to any extent, at the commencement of the late war. Their country, from its barrenness yielding no subsistence, they were obliged to seek it in the sea which surrounded them. Their economy was more rigorous than that of the Dutch. Their seamen, instead of wages, had a share in what was taken: this induced them to fish with fewer hands, so that each had a greater dividend in the profit; it made them more vigilant in seeking game, bolder in pursuing it, and parsimonious in all their expenses. London was their only market. When, therefore, by the

Digitized by Google

late Revolution, they became aliens in Great Britain, they became subject to the alien duty of eighteen pounds five shillings, the ton of oil, which being more than equal to the price of the common whale oil, they are obliged to abandon that fishery. So that this people, who, before the war, had employed upwards of three hundred vessels a year, in the whale fishery, (while Great Britain had herself, never employed one hundred,) have now almost ceased to exercise it. But they still had the seamen, the most important material for this fishery; and they still retained the spirit for fishing: so that, at the re-establishment of peace, they were capable, in a very short time, of reviving their fishery, in all its splendor. The British Government saw that the moment was critical. They knew that their own share in that fishery, was as nothing; that the great mass of fishermen was left with a nation now separated from them; that these fishermen, however, had lost their ancient market; had no other resource within their country, to which they could turn; and they hoped, therefore, they might, in the present moment of distress, be decoyed over to their establishments, and be added to the mass of their seamen. To effect this, they offered extravagant advantages to all persons who should exercise the whale fishery from British establishments. But not counting with much confidence, on a long connection with their remaining possessions on the continent of America, foreseeing that the Nantuckois would

Digitized by Google

settle in them, preferably, if put on an equal footing with those of Great Britain, and that thus they might have to purchase them the second time, they confined their high offers to settlers in Great Britain. The Nantuckois, left without resource by the loss of their market, began to think of removing to the British dominions; some to Nova Scotia, preferring smaller advantages, in the neighborhood of their ancient country and friends; others to Great Britain, postponing country and friends to high premiums. A vessel was already arrived from Halifax to Nantucket, to take off some of those who proposed to remove; two families had gone on board, and others were going, when a letter was received there, which had been written by Monsieur le Marquis de La Fayette, to a gentleman in Boston, and transmitted by him to Nantucket. The purport of the letter was, to dissuade their accepting the British proposals, and to assure them, that their friends in France would endeavor to do something for them. This instantly suspended their design: not another went on board, and the vessel returned to Halifax, with only the two families.

In fact, the French government had not been inattentive to the views of the British, nor insensible to the crisis. They saw the danger of permitting five or six thousand of the best seamen existing, to be transferred by a single stroke to the marine strength of their enemy, and to carry over with them an art, which they possessed almost exclusively.

Digitized by Google

The counterplan which they set on foot, was, to tempt the Nantuckois, by high offers, to come and settle in France. This was in the year 1785. The British, however, had in their favor a sameness of language, religion, laws, habits, and kindred. Nine families only, of thirty-three persons in the whole, came to Dunkirk; so that this project was not likely to prevent their emigration to the English establishments, if nothing else had happened.

France had effectually aided in detaching the United States of America from the *force* of Great Britain; but, as yet, they seemed to have indulged only a silent wish, to detach them from her *commerce*. They had done nothing to induce that event. In the same year, 1785, while M. de Calonnes was in treaty with the Nantuckois, an estimate of the commerce of the United States was submitted to the Count de Vergennes, and it was shown, that of three millions of pounds sterling, to which their exports amounted, one third might be brought to France, and exchanged against her productions and manufactures, advantageously for both nations; provided the obstacles of prohibition, monopoly and duty, were either done away or moderated, as far as circumstances would admit. A committee, which had been appointed to investigate a particular one of these objects, was thereupon instructed to extend its researches to the whole, and see what advantages and facilities the government could offer, for the encouragement of a general commerce with the

Digitized by Google

United States. The committee was composed of persons well skilled in commerce; and after laboring assiduously for several months, they made their report: the result of which was given in the letter of his Majesty's Comptroller General, of the 22d of October, 1786, wherein he stated the principles which should be established, for the future regulation of the commerce between France and the United States. It was become tolerably evident, at the date of this letter, that the terms offered to the Nantuckois, would not produce their emigration to Dunkirk; and that it would be safest, in every event, to offer some other alternative, which might prevent their acceptance of the British offers. The obvious one was, to open the ports of France to their oils, so that they might still exercise their fishery, remaining in their native country, and find a new market for its produce, instead of that which they had lost. The article of whale oil was, accordingly, distinguished in the letter of M. de Calonnes, by an immediate abatement of duty, and promise of further abatement, after the year 1790. This letter was instantly sent to America, and bid fair to produce there the effect intended, by determining the fishermen to carry on their trade from their own homes, with the advantage only of a free market in France, rather than remove to Great Britain, where a free market and great bounty were offered them. An *Arret* was still to be prepared, to give legal sanction to the letter of M. de Calonnes. Monsieur Lambert,

Digitized by Google

with a patience and assiduity almost unexampled, went through all the investigations necessary to assure himself, that the conclusion of the committee had been just. Frequent conferences on this subject were held in his presence; the deputies of the chambers of commerce were heard, and the result was, the *Arret* of December the 29th, 1787, confirming the abatements of duty, present and future, which the letter of October, 1786, had promised, and reserving to his Majesty, to grant still further favors to that production, if, on further information, he should find it for the interest of the two nations.

The English had now begun to deluge the markets of France, with their whale oils; and they were enabled by the great premiums given by their government, to undersell the French fisherman, aided by feebler premiums, and the American, aided by his poverty alone. Nor is it certain, that these speculations were not made at the risk of the British government, to suppress the French and American fishermen in their only market. Some remedy seemed necessary. Perhaps it would not have been a bad one, to subject, by a general law, the merchandise of every nation, and of every nature, to pay additional duties in the ports of France, exactly equal to the premiums and drawbacks given on the same merchandise, by their own government. This might not only counteract the effect of premiums in the instance of whale oils, but attack the whole British system of bounties and drawbacks,

Digitized by Google

by the aid of which, they make London the centre of commerce for the whole earth. A less general remedy, but an effectual one, was, to prohibit the oils of all *European* nations; the treaty with England requiring only, that she should be treated as well as the most favored *European* nation. But the remedy adopted was, to prohibit all oils, without exception.

To know how this remedy will operate, we must consider the quantity of whale oil which France consumes annually, the quantity which she obtains from her own fishery; and, if she obtains less than she consumes, we are to consider what will follow the prohibition.

The annual consumption of France, as stated by a person who has good opportunities of knowing it, is as follows:

	lbs. pesant.	quinteaux.	tons.
Paris, according to the registers of 1786	2,800,000	28,000	1,750
Twenty-seven other cities, lighted by M. Sangrain	800,000	8,000	500
Rouen	500.000	5,000	312½
Bordeaux	600,000	6,000	375
Lyons	300,000	3,000	187½
Other cities, leather and light	3,000,000	30,000	1,875
	8,000,000	80,000	5,000

Other calculations, or say rather, conjectures, reduce the consumption to about half this. It is treating these conjectures with great respect, to place them on an equal footing with the estimate of the person

Digitized by Google

before alluded to, and to suppose the truth half way between them. But we will do it, and call the present consumption of France only sixty thousand quintals, or three thousand seven hundred and fifty tons a year. This consumption is increasing fast, as the practice of lighting cities is becoming more general, and the superior advantages of lighting them with whale oil, are but now beginning to be known.

What do the fisheries of France furnish? She has employed, this year, fifteen vessels in the southern, and two in the northern fishery, carrying forty-five hundred tons in the whole, or two hundred and sixty-five each, on an average. The English ships, led by Nantuckois as well as the French, have never averaged in the southern fishery, more than one-fifth of their burthen, in the best year. The fifteen ships of France, according to this ground of calculation, and supposing the present to have been one of the best years, should have brought, one with another, one-fifth of two hundred and sixty-five tons, or fifty-three tons each. But we are told, they have brought near the double of that, to wit, one hundred tons each, and fifteen hundred tons in the whole. Supposing the two northern vessels to have brought home the cargo which is common from the northern fishery, to wit, twenty-five tons each, the whole produce this year, will then be fifteen hundred and fifty tons. This is five and a half months' provision, or two-fifths of the annual consumption. To furnish

Digitized by Google

for the whole year, would require forty ships of the same size, in years as fortunate as the present, and eighty-five, *communibus annis;* forty-four tons, or one-sixth of the burthen, being as high an average as should be counted on, one year with another; and the number must be increased, with the increasing consumption. France, then, is evidently not yet in a condition to supply her own wants. It is said, indeed, she has a large stock on hand unsold, occasioned by the English competition. Thirty-three thousand quintals, including this year's produce, are spoken of: this is between six and seven months' provision; and supposing by the time this is exhausted that the next year's supply comes in, that will enable her to go on five or six months longer; say a twelvemonth in the whole. But at the end of the twelvemonth, what is to be done? The manufactures depending on this article, cannot maintain their competition against those of other countries, if deprived of their equal means. When the alternative, then, shall be presented, of letting them drop, or opening the ports to foreign whale oil, it is presumable the latter will be adopted as the lesser evil. But it will be too late for America. Her fishery, annihilated during the late war, only began to raise its head on the prospect of a market held out by this country. Crushed by the *Arret* of September the 28th, in its first feeble effort to revive, it will rise no more. Expeditions, which require the expense of the outfit of vessels, and from nine to twelve months'

Digitized by Google

navigation, as the southern fishery does, most frequented by the Americans, cannot be undertaken in sole reliance on a market, which is opened and shut from one day to another, with little or no warning. The English alone, then, will remain to furnish these supplies, and they must be received even from them. We must accept bread from our enemies, if our friends cannot furnish it. This comes exactly to the point, to which that government has been looking. She fears no rivals in the whale fishery but America: or rather, it is the whale fishery of America, of which she is endeavoring to possess herself. It is for this object, she is making the present extraordinary efforts, by bounties and other encouragements; and her success, so far, is very flattering. Before the war, she had not one hundred vessels in the whale trade, while America employed three hundred and nine. In 1786, Great Britain employed one hundred and fifty-one vessels; in 1787, two hundred and eighty-six; in 1788, three hundred and fourteen, nearly the ancient American number; while the latter has fallen to about eighty. They have just changed places then; England having gained exactly what America has lost. France, by her ports and markets, holds the balance between the two contending parties, and gives the victory, by opening and shutting them, to which she pleases. We have still precious remains of seamen educated in this fishery, and capable, by their poverty, their boldness and address, of recovering it from the Eng-

Digitized by Google

lish in spite of their bounties. But this *Arret* endangers the transferring to Great Britain every man of them, who is not invincibly attached to his native soil. There is no other nation, in present condition, to maintain a competition with Great Britain in the whale fishery. The expense at which it is supported on her part, seems enormous. Two hundred and fifty-five vessels, of seventy-five thousand four hundred and thirty-six tons, employed by her this year, in the northern fishery, at forty-two men each; and fifty-nine in the southern, at eighteen men each, make eleven thousand seven hundred and seventy-two men. These are known to have cost the government fifteen pounds each, or one hundred and seventy-six thousand five hundred and eighty pounds, in the whole, and that, to employ the principal part of them, from three to four months only. The northern ships have brought home twenty, and the southern sixty tons of oil, on an average; making eighty-six hundred and forty tons. Every ton of oil, then, has cost the government twenty pounds in bounty. Still, if they can beat us out of the field and have it to themselves, they will think their money well employed. If France undertakes, solely, the competition against them, she must do it at equal expense. The trade is too poor to support itself. The eighty-five ships, necessary to supply even her present consumption, bountied, as the English are, will require a sacrifice of twelve hundred and eighty-five thousand two hundred livres a year, to maintain

Digitized by Google

three thousand five hundred and seventy seamen, and that a part of the year only; and if she will put it to twelve thousand men, in competition with England, she must sacrifice, as they do, four or five millions a year. The same number of men might, with the same bounty, be kept in as constant employ, carrying stone from Bayonne to Cherbourg, or coal from Newcastle to Havre, in which navigations they would be always at hand, and become good seamen. The English consider among their best sailors, those employed in carrying coal from Newcastle to London. France cannot expect to raise her fishery, even to the supply of her own consumption in one year, or in several years. Is it not better, then, by keeping her ports open to the United States, to enable them to aid in maintaining the field against the common adversary, till she shall be in condition to take it herself, and to supply her own wants? Otherwise, her supplies must aliment that very force which is keeping her under. On our part, we can never be dangerous competitors to France. The extent to which we can exercise this fishery, is limited to that of the barren island of Nantucket, and a few similar barren spots; its duration, to the pleasure of this government, as we have no other market. A material observation must be added here: sudden vicissitudes of opening and shutting ports, do little injury to merchants settled on the opposite coast, watching for the opening, like the return of a tide, and ready to enter with it. But they ruin the adventurer,

Digitized by Google

whose distance requires six months' notice. Those who are now arriving from America, in consequence of the *Arret* of December the 29th, will consider it as the false light which has led them to their ruin. They will be apt to say, that they come to the ports of France by invitation of that *Arret*, that the subsequent one of September the 28th, which drives them from those ports, founds itself on a single principle, viz., "that the prohibition of foreign oils, is the most useful encouragement which can be given to that branch of industry." They will say, that, if this be a true principle, it was as true on the 29th of December, 1787, as on the 20th of September, 1788; it was then weighed against other motives, judged weaker and overruled, and it is hard it should be now revived, to ruin them.

The refinery for whale oil, lately established at Rouen, seems to be an object worthy of national attention. In order to judge of its importance, the different qualities of whale oil must be noted. Three qualities are known in the American and English markets. 1st. That of the spermaceti whale. 2d. Of the Greenland whale. 3d. Of the Brazil whale. 1. The spermaceti whale found by the Nantuckois in the neighborhood of the western islands, to which they had gone in pursuit of other whales, retired thence to the coast of Guinea, afterwards to that of Brazil, and begins now to be best found in the latitude of the Cape of Good Hope, and even of Cape Horn. He is an active, fierce animal, and requires

Digitized by Google

vast address and boldness in the fisherman. The inhabitants of Brazil make little expeditions from their coast, and take some of these fish. But the Americans are the only distant people who have been in the habit of seeking and attacking him, in numbers. The British, however, led by the Nantuckois, whom they have decoyed into their service, have begun this fishery. In 1785, they had eighteen ships in it; in 1787, thirty-eight; in 1788, fifty-four, or, as some say, sixty-four. I have calculated on the middle number, fifty-nine. Still they take but a very small proportion of their own demand; we furnish the rest. Theirs is the only market to which we carry that oil, because it is the only one where its properties are known. It is luminous, resists coagulation by cold, to the forty-first degree of Fahrenheit's thermometer, and fourth of Reaumur's, and yields no smell at all; it is used, therefore, within doors, to lighten shops, and even in the richest houses, for antechambers, stairs, galleries, etc. It sells at the London market for treble the price of common whale oil. This enables the adventurer to pay the duty of eighteen pounds five shillings sterling the ton, and still to have a living profit. Besides the mass of oil produced from the whole body of the whale, his head yields three or four barrels of what is called head matter, from which is made the solid spermaceti, used for medicine and candles. This sells by the pound, at double the price of the oil. The disadvantage of this fishery is, that the sailors are from nine

Digitized by Google

to twelve months absent on the voyage; of course, they are not at hand on any sudden emergency, and are even liable to be taken before they know that war is begun. It must be added, on the subject of this whale, that he is rare and shy, soon abandoning the grounds where he is hunted. This fishery, less losing than the other, and often profitable, will occasion it to be so thronged, soon, as to bring it on a level with the other. It will then require the same extensive support, or to be abandoned.

2. The Greenland whale oil is next in quality. It resists coagulation by cold, to thirty-six degrees of Fahrenheit, and two of Reaumur; but it has a smell insupportable within doors, and is not luminous. It sells, therefore, in London, at about sixteen pounds the ton. This whale is clumsy and timid; he dives when struck, and comes up to breathe by the first cake of ice, where the fisherman needs little address or courage to find and take him. This is the fishery mostly frequented by European nations; it is this fish which yields the fin in quantity, and the voyages last about three or four months.

The third quality is that of the small Brazil whale. He was originally found on the coast of Nantucket, and first led that people to this pursuit; he retired, first to the Banks of Newfoundland, then to the western islands, and is now found within soundings on the coast of Brazil, during the months of December, January, February and March. His oil chills at fifty degrees of Fahrenheit, and eight of Reaumur,

Digitized by Google

is black and offensive; worth, therefore, but thirteen pounds the ton, in London. In warm summer nights, however, it burns better than the Greenland oil.

To the qualities of the oils thus described, it is to be added, that an individual has discovered methods, 1, of converting a great part of the oils of the spermaceti whale into the solid substance called spermaceti, heretofore produced from his head alone; 2, of refining the Greenland whale oil, so as to take from it all smell, and render it limpid and luminous as that of the spermaceti whale; 3, of curdling the oil of the Brazil whale into tallow, resembling that of beef, and answering all its purposes. This person is engaged by the company, which has established the refinery at Rouen; their works will cost them half a million of livres; will be able to refine all the oil which can be used in the kingdom, and even to supply foreign markets. The effect of this refinery, then, would be, 1, to supplant the solid spermaceti of all other nations, by theirs, of equal quality, and lower price; 2, to substitute instead of spermaceti oil, their black whale oil refined, of equal quality, and lower price; 3, to render the worthless oil of the Brazil, equal in value to tallow; and 4, by accommodating these oils to uses, to which they could never otherwise have been applied, they will extend the demand beyond its present narrow limits, to any supply which can be furnished, and thus give the most effectual encouragement and extension to the whale fishery. But these works were calculated on the *Arret* of

Digitized by Google

December the 29th, which admitted here, freely and fully, the produce of the American fishery. If confined to that of the French fishery alone, the enterprise may fail, for want of matter to work on.

After this review of the whale fishery as a political institution, a few considerations shall be added on its produce, as a basis of commercial exchange between France and the United States. The discussion it has undergone, on former occasions, in this point of view, leaves little new to be now urged.

The United States, not possessing mines of the precious metals, can purchase necessaries from other nations, so far only as their produce is received in exchange. Without enumerating our smaller articles, we have three of principal importance, proper for the French market; to wit, tobacco, whale oil and rice. The first and most important, is tobacco. This might furnish an exchange for eight millions of the productions of this country; but it is under a monopoly, and that not of a mercantile, but of a financiering company, whose interest is, to pay in money, and not in merchandise, and who are so much governed by the spirit of simplifying their purchases and proceedings, that they find means to elude every endeavor on the part of Government, to make them diffuse their purchases among the merchants in general. Little profit is derived from this, then, as an article of exchange for the produce and manufactures of France. Whale oil might be next in importance; but that is now prohibited. American

Digitized by Google

rice is not yet of great, but it is of growing consumption in France, and being the only article of the three which is free, it may become a principal basis of exchange. Time and trial may add a fourth, that is, timber. But some essays, rendered unsuccessful by unfortunate circumstances, place that, at present, under a discredit, which it will be found hereafter not to have merited. The English know its value, and were supplied with it before the war. A spirit of hostility, since that event, led them to seek Russian rather than American supplies; a new spirit of hostility has driven them back from Russia, and they are now making contracts for American timber. But of the three articles before mentioned, proved by experience to be suitable for the French market, one is prohibited, one under monopoly, and one alone free, and that the smallest and of very limited consumption. The way to encourage purchasers, is, to multiply their means of payment. Whale oil might be an important one. In one scale, are the interests of the millions who are lighted, shod, or clothed with the help of it, and the thousands of laborers and manufacturers, who would be employed in producing the articles which might be given in exchange for it, if received from America; in the other scale, are the interests of the adventurers in the whale fishery; each of whom, indeed, politically considered, may be of more importance to the State, than a simple laborer or manufacturer; but to make the estimate with the accuracy it merits,

Digitized by Google

we should multiply the numbers in each scale into their individual importance, and see which preponderates.

Both governments have seen with concern that their commercial intercourse does not grow as rapidly as they would wish. The system of the United States is, to use neither prohibitions nor premiums. Commerce there, regulates itself freely, and asks nothing better. Where a government finds itself under the necessity of undertaking that regulation, it would seem, that it should conduct it as an intelligent merchant would; that is to say, invite customers to purchase, by facilitating their means of payment, and by adapting goods to their taste. If this idea be just, government here has two operations to attend to, with respect to the commerce of the United States; 1, to do away, or to moderate, as much as possible, the prohibitions and monopolies of their materials for payment; 2, to encourage the institution of the principal manufactures, which the necessities or the habits of their new customers call for. Under this latter head, a hint shall be suggested, which must find its apology in the motive for which it flows; that is, a desire of promoting mutual interests and close friendship. Six hundred thousand of the laboring poor of America, comprehending slaves under that denomination, are clothed in three of the simplest manufactures possible; to wit, oznaburgs, plains and duffel blankets. The first is a linen; the two last, woollens. It happens, too,

Digitized by Google

that they are used exactly by those who cultivate the tobacco and rice, and in a good degree by those employed in the whale fishery. To these manufactures they are so habituated, that no substitute will be received. If the vessels which bring tobacco, rice and whale oil, do not find them in the ports of delivery, they must be sought where they can be found; that is, in England, at present. If they were made in France, they would be gladly taken in exchange there. The quantities annually used by this description of people, and their value, are as follows:

		livres.
Oznaburgs	2,700,000 aunes, at sixteen sous the aune, worth	2,160,000
Plains	1,350,000 aunes, at two livres the aune	2,700,000
Duffel blankets	300,000 aunes, at seven and four-fifths livres each	2,160,000
		7,020,000

It would be difficult to say how much should be added, for the consumption of inhabitants of other descriptions; a great deal surely. But the present view shall be confined to the one description named. Seven millions of livres, are nine millions of day's work, of those who raise, spin and weave the wool and flax; and, at three hundred working days to the year, would maintain thirty thousand people. To introduce these simple manufactures, suppose government to give five per cent. on the value of what should be exported of them, for ten years to come; if none should be exported, nothing would be to be paid; but on the other hand, if the manufactures, with this encouragement, should raise to the full demand, it will be a sacrifice of three hundred and

Digitized by Google

fifty-one thousand livres a year, for ten years only, to produce a perpetual subsistence for more than thirty thousand people, (for the demand will grow with our population,) while she must expend perpetually one million two hundred and eighty-five thousand livres a year, to maintain the three thousand five hundred and seventy seamen, who would supply her with whale oil. That is to say, for each seaman, as much as for thirty laborers and manufacturers.

But to return to our subject, and to conclude.

Whether, then, we consider the *Arret* of September the 28th, in a political or a commercial light, it would seem, that the United States should be excepted from its operation. Still more so, when they invoke against it the amity subsisting between the two nations, the desire of binding them together by every possible interest and connection, the several acts in favor of this exception, the dignity of legislation, which admits not of changes backwards and forwards, the interests of commerce, which requires steady regulations, the assurances of the friendly motives which have led the King to pass these acts, and the hope, that no cause will arise to change either his motives or his measures towards us.

Digitized by Google

TO JOHN JAY.

PARIS, November 29, 1788.

SIR,—In the hurry of making up my letter of the 19th inst., I omitted the enclosed printed paper, on the subject of whale oil. That omission is now supplied by another conveyance, by the way of London. The explanatory *Arret* is not yet come out. I still take for granted, it will pass, though there be an opposition to it in the Council. In the meantime, orders are given to receive our oils which may arrive. The apprehension of a want of corn, has induced them to turn their eyes to foreign supplies; and to show their preference of receiving them from us, they have passed the enclosed *Arret*, giving a premium on wheat and flour from the United States, for a limited time. This, you will doubtless think proper to have translated and published. The Notables are still in session; the votes of the separate *bureaux*, have not yet been reduced to a joint act, in an assembly of the whole. I see no reason to suppose they will change the separate votes relative to the representation of the Tiers État, in the States General. In the meantime, the stream of public indignation, heretofore directed against the court, sets strongly against the Notables. It is not yet decided when the States will meet; but certainly they cannot till February or March. The Turks have retired across the Danube. This movement indicates their going into winter quarters, and the

Digitized by Google

severity of the weather must hasten it. The thermometer was yesterday at eight degrees of Fahrenheit, that is, twenty-four degrees below freezing; a degree of cold equal to that of the year 1740, which they count here among their coldest winters. This having continued many days, and being still likely to continue, and the wind from northeast, render it probable, that all enterprise must be suspended between the three great belligerent powers. Poland is likely to be thrown into great convulsions. The Empress of Russia has peremptorily demanded such aids from Poland as might engage in the war. The King of Prussia, on the other hand, threatens to march an army on their borders. The vote of the Polish confederacy for one hundred thousand men, was a coalition of the two parties, in that single act only. The party opposed to the King, have obtained a majority, and have voted that this army shall be independent of him. They are supported by Prussia, while the King depends on Russia. Authentic information from England, leaves not a doubt, that the King is lunatic; and that, instead of the effect, is the cause of the illness, under which he has been so near dying. I mention this, because the English newspapers, speaking by guess on that as they do on all other subjects, might mislead you as to his true situation; or, rather, might mislead others, who know less than they do, that a thing is not rendered the more probable by being mentioned in those papers.

Digitized by Google

I enclose those of Leyden to the present date with the gazettes of France, and have the honor to be, with sentiments of the most perfect esteem and respect, Sir, your most obedient humble servant.

TO GENERAL WASHINGTON.

PARIS, December 4, 1788.

SIR,—Your favor of August the 31st came to hand yesterday; and a confidential conveyance offering, by the way of London, I avail myself of it, to acknowledge the receipt.

I have seen, with infinite pleasure, our new Constitution accepted by eleven States, not rejected by the twelfth; and that the thirteenth happens to be a State of the least importance. It is true, that the minorities in most of the accepting States have been very respectable; so much so as to render it prudent, were it not otherwise reasonable, to make some sacrifice to them. I am in hopes, that the annexation of a bill of rights to the Constitution will alone draw over so great a proportion of the minorities as to leave little danger in the opposition of the residue; and that this annexation may be made by Congress and the Assemblies, without calling a convention, which might endanger the most valuable parts of the system. Calculation has convinced me that circumstances may arise, and probably will arise, wherein all the resources of taxation will be necessary for the safety of the State, For though I am decidedly of

Digitized by Google

opinion we should take no part in European quarrels, but cultivate peace and commerce with all, yet who can avoid seeing the source of war, in the tyranny of those nations, who deprive us of the natural right of trading with our neighbors? The produce of the United States will soon exceed the European demand; what is to be done with the surplus, when there shall be one? It will be employed, without question, to open, by force, a market for itself, with those placed on the same continent with us, and who wish nothing better. Other causes, too, are obvious, which may involve us in war; and war requires every resource of taxation and credit. The power of making war often prevents it, and in our case would give efficacy to our desire of peace. If the new government wears the front which I hope it will, I see no impossibility in the availing ourselves of the wars of others, to open the other parts of America to our commerce, as the price of our neutrality.

The campaign between the Turks and the two empires, has been clearly in favor of the former. The Emperor is secretly trying to bring about a peace. The alliance between England, Prussia, and Holland (and some suspect Sweden also), renders their mediation decisive wherever it is proposed. They seemed to interpose it so magisterially between Denmark and Sweden, that the former submitted to its dictates, and there was all reason to believe that the war in the north-western parts of Europe would be quieted. All of a sudden, a new flame bursts out in Poland.

Digitized by Google

The King and his party are devoted to Russia. The opposition rely on the protection of Prussia. They have lately become the majority in the confederated diet, and have passed a vote for subjecting their army to a commission independent of the King, and propose a perpetual diet, in which case he will be a perpetual cipher. Russia declares against such a change in their constitution, and Prussia has put an army into readiness for marching, at a moment's warning, on the frontiers of Poland. These events are too recent to see, as yet, what turn they will take, or what effect they will have on the peace of Europe. So is that also of the lunacy of the King of England, which is a decided fact, notwithstanding all the stuff the English papers publish about his fevers, his deliriums, etc. The truth is, that the lunacy declared itself almost at once, and with as few concomitant complaints as usually attend the first development of that disorder. I suppose a regency will be established, and if it consists of a plurality of members, it will probably be peaceable. In this event, it will much favor the present wishes of this country, which are so decidedly for peace, that they refused to enter into the mediation between Sweden and Russia, lest it should commit them. As soon as the convocation of the States General was announced, a tranquillity took place through the whole kingdom; happily, no open rupture has taken place in any part of it. The parliaments were reinstated in their functions at the same time. This was all they desired; and they had

Digitized by Google

called for the States General only through fear that the crown could not otherwise be forced to reinstate them. Their end obtained, they began to foresee danger to themselves in the States General. They began to lay the foundation for cavilling at the legality of that body, if its measures should be hostile to them. The court, to clear itself of the dispute, convened the Notables, who had acted with general approbation on the former occasion, and referred to them the forms of calling and organizing the States General. These Notables consist principally of Nobility and Clergy; the few of the Tiers État among them being either parliament men, or other privileged persons. The court wished that, in the future States General, the members of the Tiers État should equal those of both the other orders, and that they should form but one House, all together, and vote by persons, not by orders. But the Notables, in the true spirit of Priests and Nobles, combining together against the people, have voted, by five *bureaux* out of six, that the people, or Tiers État, shall have no greater number of deputies than each of the other orders separately, and that they shall vote by orders: so that two orders concurring in a vote, the third will be overruled; for it is not here as in England, where each of the three branches has a negative on the other two. If this project of theirs succeeds, a combination between the two Houses of Clergy and Nobles, will render the representation of the Tiers État merely nugatory. The *bureaux*

Digitized by Google

are to assemble together, to consolidate their separate votes; but I see no reasonable hope of their changing this. Perhaps the King, knowing that he may count on the support of the nation, and attach it more closely to him, may take on himself to disregard the opinion of the Notables in this instance, and may call an equal representation of the people, in which, precedents will support him. In every event, I think the present disquiet will end well. The nation has been awaked by our Revolution, they feel their strength, they are enlightened, their lights are spreading, and they will not retrograde. The first States General may establish three important points, without opposition from the court: 1, their own periodical convocation; 2, their exclusive right of taxation (which has been confessed by the King); 3, the right of registering laws, and of previously proposing amendments to them, as the parliaments have, by usurpation, been in the habit of doing. The court will consent to this, from its hatred to the parliaments, and from the desire of having to do with one, rather than many legislatures. If the States are prudent, they will not aim at more than this at first, lest they should shock the dispositions of the court, and even alarm the public mind, which must be left to open itself by degrees to successive improvements. These will follow, from the nature of things; how far they can proceed, in the end, towards a thorough reformation of abuse, cannot be foreseen. In my opinion, a kind of influence which none of their plans

Digitized by Google

of reform take into account, will elude them all; I mean the influence of women, in the government. The manners of the nation allow them to visit, alone, all persons in office, to solicit the affairs of the husband, family, or friends, and their solicitations bid defiance to laws and regulations. This obstacle may seem less to those who, like our countrymen, are in the precious habit of considering right, as a barrier against all solicitation. Nor can such an one, without the evidence of his own eyes, believe in the desperate state to which things are reduced in this country from the omnipotence of an influence which, fortunately for the happiness of the sex itself, does not endeavor to extend itself in our country beyond the domestic line.

Your communications to the Count de Moustier, whatever they may have been, cannot have done injury to my endeavors here, to open the West Indies to us. On this head, the ministers are invincibly mute, though I have often tried to draw them into the subject. I have, therefore, found it necessary to let it lie, till war, or other circumstances, may force it on. Whenever they are in war with England, they must open the islands to us, and perhaps, during that war, they may see some price which might make them agree to keep them always open. In the meantime, I have laid my shoulder to the opening the markets of this country to our produce, and rendering its transportation a nursery for our seamen. A maritime force is the only one, by which

Digitized by Google

we can act on Europe. Our navigation law (if it be wise to have any) should be the reverse of that of England. Instead of confining *importations* to home-bottoms, or those of the *producing* nation, I think we should confine *exportations* to home-bottoms, or to those of nations *having treaties with us*. Our exportations are heavy, and would nourish a great force of our own, or be a tempting price to the nation to whom we should offer a participation of it, in exchange for free access to all their possessions. This is an object to which our government alone is adequate, in the gross; but I have ventured to pursue it here, so far as the consumption of our productions by this country extends. Thus, in our arrangements relative to tobacco, none can be received here, but in French or American bottoms. This is employment for near two thousand seamen, and puts nearly that number of British out of employ. By the *Arret* of December, 1787, it was provided, that our whale oils should not be received here, but in French or American bottoms; and by later regulations, all oils, but those of France and America, are excluded. This will put one hundred English whale vessels immediately out of employ, and one hundred and fifty ere long; and call so many of French and American into service. We have had six thousand seamen formerly in this business, the whole of whom we have been likely to lose. The consumption of rice is growing fast in this country, and that of Carolina gaining ground on every other kind. I am of opinion, the

Digitized by Google

whole of the Carolina rice can be consumed here. Its transportation employs two thousand five hundred sailors, almost all of them English at present; the rice being deposited at Cowes, and brought from thence here. It would be dangerous to confine this transportation to French and American bottoms, the ensuing year, because they will be much engrossed by the transportation of wheat and flour hither, and the crop of rice might lie on hand for want of vessels; but I see no objections to the extensions of our principle to this article also, beginning with the year 1790. However, before there is a necessity of deciding on this, I hope to be able to consult our new government in person, as I have asked of Congress a leave of absence for six months, that is to say, from April to November next. It is necessary for me to pay a short visit to my native country, first, to reconduct my family thither, and place them in the hands of their friends, and secondly, to place my private affairs under certain arrangements. When I left my own house, I expected to be absent but five months, and I have been led by events to an absence of five years. I shall hope, therefore, for the pleasure of personal conferences with your Excellency, on the subject of this letter, and others interesting to our country; of getting my own ideas set to rights by a communication of yours, and of taking again the tone of sentiment of my own country, which we lose, in some degree, after a certain absence. You know, doubtless, of the death of the Marquis

Digitized by Google

de Chastellux. The Marquis de La Fayette is out of favor with the court, but high in favor with the nation. I once feared for his personal liberty, but I hope he is on safe ground at present.

On the subject of the whale fishery, I enclose you some observations I drew up for the ministry here, in order to obtain a correction of their *Arret* of September last, whereby they had involved our oils with the English, in a general exclusion from their ports. They will accordingly correct this, so that our oils will participate with theirs, in the monopoly of their markets. There are several things incidentally introduced, which do not seem pertinent to the general question; they were rendered necessary by particular circumstances, the explanation of which, would add to a letter already too long. I will trespass no further, than to assure you of the sentiments of sincere attachment and respect with which I have the honor to be, your Excellency's most obedient humble servant.

P. S. The observations enclosed, though printed, have been put into confidential hands only.

TO JOHN ADAMS.

PARIS, December 5, 1788.

DEAR SIR,—I had the pleasure of writing to you on the 2d of August, and of adding a postscript of August the 6th.

* * * * * * * *

Digitized by Google

You recollect well the *Arret* of December the 29th, 1787, in favor of our commerce, and which, among other things, gave free admission to our whale oil, under a duty of about two louis a ton. In consequence of the English treaty, their oils flowed in, and overstocked the market. The light duty they were liable to under the treaty, still lessened by false estimates and aided by the high premiums of the British government, enabled them to undersell the French and American oils. This produced an outcry of the Dunkirk fishery. It was proposed to exclude all European oils, which would not infringe the British treaty. I could not but encourage this idea, because it would give to the French and American fisheries a monopoly of the French market. The *Arret* was so drawn up; but, in the very moment of passing it, they struck out the word *European*, so that our oils became involved. This, I believe, was the effect of a single person in the ministry. As soon as it was known to me, I wrote to Monsieur de Montmorin, and had conferences with him and the other ministers. I found it necessary to give them information on the subject of the whale fishery, of which they knew little but from the partial information of their Dunkirk adventurers. I therefore wrote the observations (of which I enclose you a printed copy), had them printed to entice them to read them, and particularly developed the expense at which they are carrying on that fishery, and at which they must continue it, if they do continue it. This part was more particu-

Digitized by Google

larly intended for Mr. Neckar, who was quite a stranger to the subject, who has principles of economy, and will enter into calculations. Other subjects are incidentally introduced; though little connected with the main question, they had been called for by other circumstances. An immediate order was given for the present admission of our oils, till they could form an *Arret;* and, at a conference, the draught of an *Arret* was communicated to me, which re-established that of December 29th. They expressed fears, that, under cover of our name, the Nova Scotia oils would be introduced; and a blank was left in the draught, for the means of preventing that. They have since proposed, that the certificate of their consul shall accompany the oils, to authorize their admission, and this is what they will probably adopt. It was observed, that if our States would prohibit all foreign oils from being imported into them, it would be a great safeguard, and an encouragement to them to continue the admission. Still there remains an expression in the *Arret*, that it is provisory only. However, we must be contented with it as it is; my hope being, that the legislature will be transferred to the National Assembly, in whose hands it will be more stable, and with whom it will be more difficult to obtain a repeal, should the ministry hereafter desire it. If they could succeed in drawing over as many of our Nantucket men as would supply their demands of oil, we might then fear an exclusion; but the present *Arret*, as soon as

Digitized by Google

it shall be passed, will, I hope, place us in safety till that event, and that event may never happen. I have entered into all these details, that you may be enabled to quiet the alarm which must have been raised by the *Arret* of September the 28th, and assure the adventurers that they may pursue their enterprises as safely as if that had never been passed, and more profitably, because we participate now of a monopolized, instead of an open market. The enclosed observations, though printed, have only been given to the ministers, and one or two other confidential persons. You will see that they contain matter which should be kept from the English, and will, therefore, trust them to the perusal only of such persons as you can confide in. We are greatly indebted to the Marquis de La Fayette for his aid on this, as on every other occasion. He has paid the closest attention to it, and combated for us, with the zeal of a native.

The necessity of reconducting my family to America, and of placing my affairs there under permanent arrangements, has obliged me to ask of Congress a six months' absence, to wit, from April to November next. I hope, therefore, to have the pleasure of seeing you there, and particularly, that it will be at New York that I shall find you. Be so good as to present my sincere esteem to Mrs. Adams, and believe me to be, with very affectionate attachment, dear Sir, your friend and servant.

Digitized by Google

TO MR. SHORT.

PARIS, December 8, 1788.

DEAR SIR,—My last to you was of the 21st of November, addressed to Milan, *poste restante*, according to the desire expressed through Mrs. Paradise. I have lately received yours of the 19th of November, and sincerely felicitate you on your recovery. I wish you may have suffered this to be sufficiently established before you set out on your journey. The present letter will probably reach you amidst the classical enjoyments of Rome. I feel myself kindle at the reflection, to make that journey; but circumstances will oblige me to postpone it, at least. We are here under a most extraordinary degree of cold. The thermometer has been ten degrees of Reaumur below freezing; this is eight degrees of Fahrenheit above zero, and was the degree of cold here in in the year 1740. The long continuance of this severity, and the snow now on the ground, give physical prognostications of a hard winter. You will be in a privileged climate, and will have had an enviable escape from this. The Notables are not yet separated, nor is their treasonable vote against the people yet consolidated; but it will be. The parliament have taken up the subject, and passed a very laudable vote in opposition. They have made it the occasion of giving sketches of what should be a bill of rights. Perhaps this opposition of authority may give the court an option between

Digitized by Google

the two. Stocks are rising slowly, but steadily. The loan of 1784, is at thirteen loss; the *caisse d'escompte*, four thousand and seventy-five. The Count de Bryenne has retired, and M. de Puy-segur succeeded to his place. Madame de Chambonois (sister of M. de Langear) is dead of the small-pox. Pio is likely to receive a good appointment in his own country, which will take him from us. Corn is likely to become extremely scarce in France, Spain and England. This country has offered a premium of forty sous the quintal on flour of the United States, and thirty sous the quintal on our wheat, to be brought here between February and June.

General Washington writes me that industry and economy begin to take place of that idleness and extravagance which had succeeded to the close of the war. The Potomac canal is in great forwardness. J. M. writes me word that Mr. Jay and General Knox are talked of in the middle States for Vice-Presidents, but he queries whether both will not prefer their present berths. It seems agreed that some amendments will be made to the new Constitution. All are willing to add a bill of rights; but they fear the power of internal taxation will be abridged. The friends of the new government will oppose the method of amendment by a federal convention, which would subject the whole instrument to change, and they will support the other method, which admits Congress, by a vote of two-thirds, to submit

Digitized by Google

specific changes to the Assemblies, three-fourths of whom must concur to establish them.

The enclosed letter is from Pallegrino, one of the Italian laborers established in our neighborhood. I fancy it contains one for his father. I have supposed it would not be unpleasant to you to have the delivery of it, as it may give you a good opportunity of conferring with one of that class as much as you please. I obey at the same time my own wishes to oblige the writer. Mazzei is at this time ill, but not in danger. I am impatient to receive further letters from you, which may assure me of the solidity of your recovery, being with great anxiety for your health and happiness, dear Sir, your affectionate friend and servant.

[*The annexed is here inserted in the Author's MS. without stating to whom it is addressed.*]

The Minister Plenipotentiary for the United States of America, finds himself under the necessity of declining to authenticate writings destined to be sent to the United States, for this main reason, that such authentication is not legal evidence there. After a reason so sufficient, it seems superfluous to add, that, were his authentication admissible in the courts of the United States, he could never give it to any seal or signature, which had not been put in his presence; that he could never certify a copy, unless both that and the original were in a hand-writing legible to

Digitized by Google

him, and had been compared together by him, word by word: that so numerous are the writings presented, that their authentication alone, would occupy the greater part of his time, and withdrawing him from his proper duties, would change the nature of his office to that of a Notary. He observes to those who do him the honor of addressing themselves to him on this subject, that the laws for the authentication of foreign writings, are not the same through all the United States, some requiring an authentication under the seal of the Prevoté of a city, and others admitting that of a Notary; but that writings authenticated in both these manners, will, under the one or the other, be admitted in most, if not all, of the United States. It would seem advisable, then, to furnish them with this double authentication.

TO DOCTOR CURRIE.

PARIS, December 20, 1788.

DEAR DOCTOR,—"Procrastination is the thief of time," so says Young, and so I find it. It is the only apology, and it is the true one for my having been so long without writing to you. In the meantime I shall overtake the present epistle if it be as long getting to you as my letters are sometimes coming to me from America. I have asked of Congress a leave of five or six months' absence this year to carry my family back to America, and hope to obtain it in time to sail in April from Havre for James river

Digitized by Google

directly. In this case I shall have the pleasure of seeing you at Richmond and Eppington a few days. This country is seriously meditating the establishment of a constitution, and the distress of the court for money, with the real good intentions of the King, will produce their concurrence in it. All the world is occupied at present in framing, every one his own plan, of a bill of rights. The States General will meet probably in March, (the day not being yet known). They will probably establish their own periodical meetings, their right to participate of the legislation, their sole right to tax. So far the court will not oppose. Some will endeavor to procure, at the same time, a habeas corpus law and free press. I doubt if the latter can be obtained yet, and as for the former, I hardly think the nation itself ripe to accept it. Though they see the evil of *lettres de cachet*, they believe they do more good on the whole. They will think better in time. The right of taxation includes the idea of fixing a civil list for the King, and of equalizing the taxes on the clergy and nobility as well as the commons. The two former orders do not pay one-third of the proportion *ad valorem*, which the last pay. This will be a great addition to their revenue. While engaged so much internally, you may be assured they wish for external peace. The insanity of the King of England will much befriend their desires in this respect. Regencies are generally peaceable. The war in the north appeared at one time likely to be quieted, but new dissensions in

Digitized by Google

Poland threaten to embroil Russia and Prussia. In this case Prussia will previously make her peace with the Turks by ceding the Crimea to them. So much for political news. In the literary way we are like, after a very long dearth of good publications, to have something worth reading. The works of the late King of Prussia in sixteen volumes 8vo, appear now. They contain new and curious historical matter. A work on Grecian Antiquities, by the Abbé Barthelemi, of great classical learning, the produce of twenty years' labor, is now in the press, about eight volumes 8vo. A single small volume on government, by the Marquis de Condorcet, is struggling to get abroad in spite of the prohibition it is under. You have heard of the new chemical nomenclature endeavored to be introduced by Lavoisier, Fourcroy, etc. Other chemists of this country, of equal note, reject it, and prove, in my opinion, that it is premature, insufficient and false. These latter are joined by the British chemists; and upon the whole, I think the new nomenclature will be rejected, after doing more harm than good. There are some good publications in it, which must be translated into the ordinary chemical language before they will be useful. A person lately discovered here a very simple method of bleaching yellow paper, or stained paper, (provided there be no grease on the stain,) by the fumes of the muriatic acid poured on magnesia. He showed it to me two or three days after the discovery. On mentioning it to M. Bertholet, we found that a process on the

Digitized by Google

same principles had, for a year or two past, been adopted successfully for the bleaching linen. This is now effected in from eight hours to two or three days, without requiring the great bleaching fields which the ancient method does; and they say that the linen is less injured. There are two large bleacheries established in this country on this principle, and I believe they are beginning to try it in England. There is a vast improvement in the composition of gunpowder, not yet communicated to the public. We are now at the twenty-ninth livraison of the Encyclopedia. I shall bring to Mr. Hay what he has not yet received, and have then the pleasure of assuring you in person of the sentiments of sincere esteem with which I am, dear Sir, your friend and servant.

TO THOMAS PAINE.

PARIS, December 23, 1788.

DEAR SIR,—It is true that I received, very long ago, your favors of September the 9th and 15th, and that I have been in daily intention of answering them, fully and confidentially; but you know, such a correspondence between you and me cannot pass through the post, nor even by the couriers of ambassadors. The French packet boats being discontinued, I am now obliged to watch opportunities by Americans going to London, to write my letters to America. Hence it has happened, that these, the sole oppor-

Digitized by Google

tunities by which I can write to you without fear, have been lost, by the multitude of American letters I had to write. I now determine, without foreseeing any such conveyance, to begin my letter to you, so that when a conveyance occurs, I shall only have to add recent occurrences. Notwithstanding the interval of my answer which has taken place, I must beg a continuance of your correspondence; because I have great confidence in your communications, and since Mr. Adams' departure, I am in need of authentic information from that country.

I will begin with the subject of your bridge, in which I feel myself interested; and it is with great pleasure that I learn, by your favor of the 16th, that the execution of the arch of experiment exceeds your expectations. In your former letter, you mention, that instead of arranging your tubes and bolts as ordinates to the cord of the arch, you had reverted to your first idea, of arranging them in the direction of the radii. I am sure it will gain, both in beauty and strength. It is true that the divergence of those radii recurs as a difficulty, in getting the rails on upon the bolts; but I thought this fully removed by the answer you first gave me, when I suggested that difficulty, to wit, that you should place the rails first, and drive the bolts through them, and not, as I had imagined, place the bolts first, and put the rails on them. I must doubt whether what you now suggest, will be as good as your first idea; to wit, to have every rail split into two pieces longitudi-

Digitized by Google

nally, so that there shall be but the halves of the holes in each, and then to clamp the two halves together. The solidity of this method cannot be equal to that of the solid rail, and it increases the suspicious part of the whole machine, which, in a first experiment, ought to be rendered as few as possible. But of all this, the practical iron men are much better judges than we theorists. You hesitate between the catenary and portion of a circle. I have lately received from Italy, a treatise on the equilibrium of arches, by the Abbé Mascheroni. It appears to be a very scientific work. I have not yet had time to engage in it; but I find that the conclusions of his demonstrations are, that every part of the catenary is in perfect equilibrium. It is a great point, then, in a new experiment, to adopt the sole arch, where the pressure will be equally borne by every point of it. If any one point is pushed with accumulated pressure, it will introduce a danger foreign to the essential part of the plan. The difficulty you suggest, is, that the rails being all in catenaries, the tubes must be of different lengths, as these approach nearer or recede farther from each other, and therefore, you recur to the portions of concentric circles, which are equi-distant in all their parts. But I would rather propose, that you make your middle rail an exact catenary, and the interior and exterior rails parallels to that. It is true they will not be exact catenaries, but they will depart very little from it; much less than portions of circles will.

Digitized by Google

Nothing has been done here on the subject since you went away. There is an Abbé D'Arnal at Nismes, who has obtained an exclusive privilege for navigating the rivers of this country, by the aid of the steam engine. This interests Mr. Rumsey, who had hoped the same thing. D'Arnal's privilege was published in a paper of the 10th of November. Probably, therefore, his application for it was previous to the delivery of Mr. Rumsey's papers to the Secretary of the Academy of Sciences, which was in the latter part of the month of August. However, D'Arnal is not a formidable competitor. He is not in circumstances to make any use, himself, of his privilege, and he has so illy succeeded with a steam mill he erected at Nismes, that he is not likely to engage others to venture in his projects. To say another word of the catenarian arch, without caring about mathematical demonstrations, its nature proves it to be in equilibrio in every point. It is the arch formed by a string fixed at both ends, and swaying loose in all the intermediate points. Thus at liberty, they must finally take that position, wherein every one will be equally pressed; for if any one was more pressed than the neighboring point, it would give way, from the flexibility of the matter of the string.

* * * * * * * *

I am, with sentiments of sincere esteem and attachment, dear Sir, your friend and servant.

Digitized by Google

TO MR. THOMAS PAINE.

PARIS, December 23, 1788.

DEAR SIR,—As to the affairs of this country, they have hitherto gone on well. The Court being decided to call the States General, know that the form of calling and constituting them would admit of cavil. They asked the advice of the Notables. These advised that the form of the last States General of 1614 be observed. In that, the commons had but about one-third of the whole number of members, and they voted by orders. The Court wished now that they should have one-half of the whole number of members, and that they should form but one house, not three. The parliament have taken up the subject, and given the opinion which the Court would have wished. We are, therefore, in hopes that, availing themselves of these contrary opinions, they will follow that which they wished. The priests and nobles threaten schism; and we do not know yet what form will ultimately be adopted. If no schism of this kind prevents it, the States will meet about March or April, and will obtain, without opposition from the Court, 1. Their own periodical convocation; 2. A share in the legislation; 3. The exclusive right to tax and appropriate the public money. They will attempt also to obtain a habeas corpus law and free press; but it does not appear to me that the nation is ripe to accept of these, if offered. They may try to modify them to their present ideas in their

Digitized by Google

first session, and at some future day adopt them in all their latitude. Upon the whole, if the dispute between the privileged and unprivileged orders does not prevent it, there is no doubt in my mind that they will obtain a fixed, free and wholesome Constitution. I should add, also, if external war does not call them from this pursuit. But against this they are secured by the insanity of the King of England, and they will not suffer themselves to be drawn into war by any other nation. There is reason to believe that the disturbances lately arisen in Poland, will induce the Empress to make her peace with the Turks, by parting with the Crimea, that she may be able to turn herself this way and preserve Poland, of more consequence to her. In this event, there is no doubt the Emperor makes peace with the Turks also, and it would not surprise if he and the Empress should attack the King of Prussia. I think it is not apprehended here that the death of the King of Spain will make any change in the politics of that Court. You ask about Mr. Littlepage. We heard that he joined the Prince of Nassau on the Black Sea, but know nothing of him since, nor have we any information about Paul Jones since the first action on that sea, wherein he was present. You also ask when I shall go to America, and whether by the way of England. I hope to receive my permission in time to sail immediately after the vernal equinox, because this will give me time to arrange my affairs in America, and to return here between the autumnal equinox

Digitized by Google

and setting in of the winter. I shall certainly not go by the way of England. The encumbrance of a family and baggage will prevent this. I hope you will find some conveyance sufficiently confidential to communicate to me by letter what you say you wish to communicate in person. While in America, I shall attend on our President and Senate in order to possess them of such views of European affairs as I shall have been able to obtain. I shall suppose this the more my duty, as they will be forming their plan of foreign affairs. You have heard of the *Arret* of September 28th, excluding foreign whale oils from the ports of this country. I have obtained the promise of an explanatory *Arret* to declare that that of September 28th was not meant to extend to us. Orders are accordingly given in the ports to receive ours, and the *Arret* will soon be published. This places us on a better footing than ever, as it gives us a monopoly of this market in conjunction with the French fishermen.

TO MR. CARMICHAEL.

PARIS, December 25, 1788.

DEAR SIR,—A sick family has prevented me, for upwards of a month, from putting pen to paper but in indispensable cases, and for some time before that, I had been waiting to receive American news worth communicating to you. These causes have occasioned my silence since my last, which was of the

Digitized by Google

12th of August, and my leaving unacknowledged, till now, your several favors, of July 24th, Aug. 14th, Sept. 9th and Nov. 3d. That of the 14th instant also came to hand the day before yesterday.

You have long ago known that eleven States have ratified our new Constitution, and that North Carolina, contrary to all expectation, had declined either accepting or refusing, but has proposed amendments copied verbatim from those of Virginia. Virginia and Massachusetts had preferred this method of management, that is to say, desiring Congress to propose specific amendments to the several legislatures, which is one of the modes of amendment provided in the new Constitution; in this way nothing can be touched but the parts specifically pointed out. New York has written circular letters to the legislatures to adopt the other mode of amendment, provided also by the Constitution, that is to say, to assemble another federal convention. In this way the whole fabric would be submitted to alteration. Its friends, therefore, unite in endeavoring to have the first method adopted, and they seem agreed to concur in adding a bill of rights to the Constitution. This measure will bring over so great a part of the opposition, that what will remain after that will have no other than the good effect of watching, as sentinels, the conduct of government, and laying it before the public. Many of the opposition wish to take from Congress the power of internal taxation. Calculation has convinced me this would be very mis-

Digitized by Google

chievous. The Electors are to be chosen the first Wednesday of January; President the first Wednesday in February, and the new government is to meet at New York the first Wednesday in March. The election of Senators has already begun. Pennsylvania has chosen Mr. R. Morrison and McClay; Connecticut, Dr. Johnson and Elsworth. I have heard of no others. I hope there is no doubt of General Washington's acceptance of the Presidentship. Mr. J. Adams, Mr. Hancock, Mr. Jay and General Knox, are talked of in the Northern and Middle States for Vice-President. Yet it is suggested to me that the two latter will probably prefer their present offices, and the two former divide each other's interest so that neither may be chosen. Remarkable deaths are Colonel Bannister of Virginia, and John Penn of North Carolina. General Washington writes me word that the great rains had prevented the continuance of their labors on the Potomac, so that they should not be able to bring the navigation this winter to the great falls as he had hoped. It will want little of it, and no doubt remains of their completing the whole. That of James River has some time since been so far completed as to let vessels pass down to Richmond. The crop of wheat in America the last year has been a fine one both for quantity and quality. This country is likely to want. They have offered a premium of forty sous the quintal on flour of the United States, and thirty sous on their wheat imported here. They

Digitized by Google

have also opened their islands for our supplies. Much will come here. Views which bid defiance to my calculations had induced this court in an *Arret* of September 28th, to comprehend us with the English, in the exclusion of whale oil from their ports, in flat contradiction to their *Arret* of December last. This you know would be a sentence of banishment to the inhabitants of Nantucket, and there is no doubt they would have removed to Nova Scotia or England, in preference to any other part of the world. A temporary order, however, is now given for our admittance, and a more prominent one under preparation. The internal affairs of this country will, I hope, go on well. Neither the time, place, nor form of the States General are yet announced. But they will certainly meet in March or April. The clergy and nobility, as clergy and nobility eternally will, are opposed to the giving to the Tiers État so effectual a representation as may dismount them from their backs. The court wishes to give to the unprivileged order an equal number of votes with the privileged, and that they should sit in one house, but the court is timid. Some are of opinion that a majority of the nobles are also on the side of the people. I doubt it when so great a proportion of the Notables, indeed almost an unanimity, were against them, and five princes of the blood out of seven. If no schism prevents the proceedings of the States General, I suppose they will obtain in their first session, 1. The periodical convocation of the

Digitized by Google

States. 2. Their participation in the legislature; and 3. Their exclusive right to levy and appropriate money; and that at some future day, not very far distant, they will obtain a habeas corpus law and free press. They have great need of external peace to let them go on quietly with these internal improvements. This seems to be secured to them by the insanity of the King of England. Regents are generally peaceable, and I think this country will not let itself be diverted from its object by any other power. There are symptoms which render it suspicious that the two empires may make their peace with the Turks. It seems more eligible to Russia to do this by ceding the Crimea to them, that she may turn to the other side and save Poland, which the King of Prussia is endeavoring to wrest from her. Probably the loss of his principal ally will induce him to adopt a language and a conduct less Thrasonic. The death of the King of Spain contributes to throw into uncertainty the future face and fate of Europe. The English count on his successor. We have not yet received from London the decision on the question of regency. It is believed the Prince of Wales will be sole regent, and that there will be a total change in the ministry. In this case, probably 1405. 452. will be 846. 1453. 915. he will have found that the old proverb is not always true, "that a bird in the hand is worth two in the bush." There is something 816. 1209. 1225. 319. 8. 1548. 173. 1140. 457. 980. 913. 537. 814. 478. 887. 1363. 12. 1271. 1266. 904. 1266. 1017. 1548. 1128. 1581. 1438. 254.

Digitized by Google

The necessity of carrying back my family to America, and of carrying my affairs, which I left under expectation of returning to them very soon, have induced me to ask of Congress a leave of five or six months' absence during the next year. I hope to obtain it in time to sail soon after the vernal equinox, and shall return immediately after the autumnal. I shall be happy while there if I can render you any service, and shall hope to receive your commands before my departure. and in the meantime a continuance of your interesting communications, now become much more so, till we see which way the new administration of your residence will turn itself. I have the honor to be, with great and sincere esteem, dear Sir, your most obedient, and most humble servant.

TO DR. PRICE.

PARIS, January 8, 1789.

DEAR SIR,—I was favored with your letter of October 26th, and far from finding any of its subjects uninteresting as you apprehend, they were to me, as everything which comes from you, pleasing and instructive. I concur with you strictly in your opinion of the comparative merits of atheism and demonism, and really see nothing but the latter in the Being worshipped by many who think themselves Christians. Your opinions and writings will have effect in bringing others to reason on this subject.

Digitized by Google

Our new Constitution, of which you speak also, has succeeded beyond what I apprehended it would have done. I did not at first believe that eleven States out of thirteen would have consented to a plan consolidating them as much into one. A change in their dispositions, which had taken place since I left them, had rendered this consolidation necessary, that is to say, had called for a federal government which could walk upon its own legs, without leaning for support on the State legislatures. A sense of necessity, and a submission to it, is to me a new and consolatory proof that, whenever the people are well-informed, they can be trusted with their own government; that, whenever things get so far wrong as to attract their notice, they may be relied on to set them to rights. You say you are not sufficiently informed about the nature and circumstances of the present struggle here. Having been on the spot from its first origin, and watched its movements as an uninterested spectator, with no other bias than a love of mankind, I will give you my ideas of it. Though celebrated writers of this and other countries had already sketched good principles on the subject of government, yet the American war seems first to have awakened the thinking part of this nation in general from the sleep of despotism in which they were sunk. The officers too who had been to America, were mostly young men, less shackled by habit and prejudice, and more ready to assent to the dictates of common sense and common right. They

Digitized by Google

came back impressed with these. The press, notwithstanding its shackles, began to disseminate them; conversation, too, assumed new freedom; politics became the theme of all societies, male and female, and a very extensive and zealous party was formed, which may be called the Patriotic party, who, sensible of the abusive government under which they lived, longed for occasions of reforming it. This party comprehended all the honesty of the kingdom, sufficiently at its leisure to think; the men of letters, the easy bourgeois, the young nobility, partly from reflection, partly from mode; for those sentiments became a matter of mode, and as such united most of the young women to the party. Happily for the nation, it happened that, at the same moment, the dissipations of the court had exhausted the money and credit of the State, and M. de Calonnes found himself obliged to appeal to the nation, and to develop to it the ruin of their finances. He had no idea of supplying the deficit by economies, he saw no means but new taxes. To tempt the nation to consent to these some douceurs were necessary. The Notables were called in 1787. The leading vices of the constitution and administration were ably sketched out, good remedies proposed, and under the splendor of the propositions, a demand for more money was couched. The Notables concurred with the minister in the necessity of reformation, adroitly avoided the demand of money, got him displaced, and one of their leading men placed in his room. The

Digitized by Google

archbishop of Thoulouse, by the aid of the hopes formed of him, was able to borrow some money, and he reformed considerably the expenses of the court. Notwithstanding the prejudices since formed against him, he appeared to me to pursue the reformation of the laws and constitution as steadily as a man could do who had to drag the court after him, and even to conceal from them the consequences of the measures he was leading them into. In his time the criminal laws were reformed, provincial assemblies and States established in most of the provinces, the States General promised, and a solemn acknowledgment made by the King that he could not impose a new tax without the consent of the nation. It is true he was continually goaded forward by the public clamors, excited by the writings and workings of the Patriots, who were able to keep up the public fermentation at the exact point which borders on resistance, without entering on it. They had taken into their alliance the Parliaments also, who were led, by very singular circumstances, to espouse, for the first time, the rights of the nation. They had from old causes had personal hostility against M. de Calonnes. They refused to register his laws or his taxes, and went so far as to acknowledge they had no power to do it. They persisted in this with his successor, who therefore exiled them. Seeing that the nation did not interest themselves much for their recall, they began to fear that the new judicatures proposed in their place would be established and that their own sup-

Digitized by Google

pression would be perpetual. In short, they found their own strength insufficient to oppose that of the King. They, therefore, insisted that the States General should be called. Here they became united with and supported by the Patriots, and their joint influence was sufficient to produce the promise of that assembly. I always suspected that the archbishops had no objections to this force under which they laid him. But the Patriots and Parliament insisted it was their efforts which extorted the promise against his will. The re-establishment of the Parliament was the effect of the same coalition between the Patriots and Parliament; but, once re-established, the latter began to see danger in that very power, the States General, which they had called for in a moment of despair, but which they now foresaw might very possibly abridge their powers. They began to prepare grounds for questioning their legality, as a rod over the head of the States, and as a refuge if they should really extend their reformations to them. Mr. Neckar came in at this period and very dexterously disembarrassed the administration of these disputes by calling the Notables to advise the form of calling and constituting the States. The court was well disposed towards the people, not from principles of justice or love to them; but they want money. No more can be had from the people. They are squeezed to the last drop. The clergy and nobles, by their privileges and influence, have kept their property in a great measure untaxed hitherto. They

Digitized by Google

then remain to be squeezed, and no agent is powerful enough for this but the people. The court therefore must ally itself with the people. But the Notables, consisting mostly of privileged characters, had proposed a method of composing the States, which would have rendered the voice of the people, or Tiers États, in the States General, inefficient for the purpose of the court. It concurred then with the Patriots in intriguing with the Parliament to get them to pass a vote in favor of the rights of the people. This vote, balancing that of the Notables, has placed the court at liberty to follow its own views, and they have determined that the Tiers État shall have in the States General as many votes as the clergy and nobles put together. Still a great question remains to be decided, that is, shall the States General vote by orders, or by persons? precedents are both ways. The clergy will move heaven and earth to obtain the suffrage by orders, because that parries the effect of all hitherto done for the people. The people will probably send their deputies expressly instructed to consent to no tax, to no adoption of the public debts, unless the unprivileged part of the nation has a voice equal to that of the privileged; that is to say, unless the voice of the Tiers État be equalled to that of the clergy and nobles. They will have the young noblesse in general on their side, and the King and court. Against them will be the ancient nobles and the clergy. So that I hope, upon the whole, that by the time they meet, there will be a majority of the nobles

Digitized by Google

themselves in favor of the Tiers Etat. So far history. We are now to come to prophecy; for you will ask, to what will all this lead? I answer, if the States General do not stumble at the threshold on the question before stated, and which must be decided before they can proceed to business, then they will in their first session easily obtain, 1. Their future periodical convocation of the States. 2. Their exclusive right to raise and appropriate money which includes that of establishing a civil list. 3. A participation in legislation; probably at first, it will only be a transfer to them of the portion of it now exercised by parliament, that is to say, a right to propose amendments and a negative. But it must infallibly end in a right of origination. 4. Perhaps they may make a declaration of rights. It will be attempted at least. Two other objects will be attempted, viz., a habeas corpus law and a free press. But probably they may not obtain these in the first session, or with modifications only, and the nation must be left to ripen itself more for their unlimited adoption. Upon the whole, it has appeared to me that the basis of the present struggle is an illumination of the public mind as to the rights of the nation, aided by fortunate incidents; that they can never retrograde, but from the natural progress of things, must press forward to the establishment of a constitution which shall assure to them a good degree of liberty. They flatter themselves they shall form a better constitution than the English. I think it will be better in some points—worse

Digitized by Google

in others. It will be better in the article of representation, which will be more equal. It will be worse, as their situation obliges them to keep up the dangerous machine of a standing army. I doubt, too, whether they will obtain the trial by jury, because they are not sensible of its value.

I am sure I have by this time heartily tired you with this long epistle, and that you will be glad to see it brought to an end, with assurances of the sentiments of esteem and respect with which I have the honor to be, dear Sir, your most obedient, and most humble servant.

TO JOHN JAY.

PARIS, January 11, 1789.

SIR,—My last letters were of the 14th, 19th and 29th of November, by the way of London. The present will go the same way, through a private channel.

All military operations in Europe seem to have been stopped, by the excessive severity of the weather. In this country, it is unparalleled in so early a part of the winter, and in duration, having continued since the middle of November, during which time, it has been as low as nine degrees below nought, that is to say, forty degrees below freezing, by Fahrenheit's thermometer; and it has increased the difficulties of the administration here. They had, before, to struggle with the want of money, and

Digitized by Google

want of bread for the people, and now, the want of fuel for them, and want of employment. The siege of Oczakow is still continued, the soldiers sheltering themselves in the Russian manner, in subterraneous barracks; and the Captain Pacha has retired with his fleet. The death of the King of Spain has contributed, with the insanity of the English King, to render problematical, the form which the affairs of Europe will ultimately take. Some think a peace possible between the Turks and the two Empires, with the cession of Crimea to the former, as less important to Russia than Poland, which she is in danger of losing. In this case, the two Empires might attack the King of Prussia, and the scene of war be only changed. He is certainly uneasy at the accident happened to his principal ally. There seems no doubt, but that the Prince of Wales will be sole regent; but it is also supposed, they will not give him the whole executive power, and particularly, that of declaring war without the consent of the parliament. Should his personal dispositions, therefore, and that of a new ministry, be the same which the King had, of co-operating with Prussia, yet the latter cannot count on their effect. Probably, the parliament will not consent to war, so that I think we may consider the two great powers of France and England as absolutely at rest for some time.

As the character of the Prince of Wales is becoming interesting, I have endeavored to learn what it

Digitized by Google

truly is. This is less difficult in his case, than in that of other persons of his rank, because he has taken no pains to hide himself from the world. The information I most rely on, is from a person here with whom I am intimate, who divides his time between Paris and London, an Englishman by birth, of truth, sagacity and science. He is of a circle, when in London, which has had good opportunities of knowing the Prince; but he has also, himself, had special occasions of verifying their information, by his own personal observation. He happened, when last in London, to be invited to a dinner of three persons. The Prince came by chance, and made the fourth. He ate half a leg of mutton; did not taste of small dishes, because small; drank Champagne and Burgundy, as small beer during dinner, and Bordeaux after dinner, as the rest of the company. Upon the whole, he ate as much as the other three, and drank about two bottles of wine without seeming to feel it. My informant sat next him, and being till then unknown to the Prince, personally, (though not by character,) and lately from France, the Prince confined his conversation almost entirely to him. Observing to the Prince that he spoke French without the least foreign accent, the Prince told him, that when very young, his father had put only French servants about him, and that it was to that circumstance he owed his pronunciation. He led him from this to give an account of his education, the total of which was the learning a little Latin.

Digitized by Google

He has not a single element of Mathematics, of Natural or Moral Philosophy, or of any other science on earth, nor has the society he has kept been such as to supply the void of education. It has been that of the lowest, the most illiterate and profligate persons of the kingdom, without choice of rank or mind, and with whom the subjects of conversation are only horses, drinking-matches, bawdy houses, and in terms the most vulgar. The young nobility, who begin by associating with him, soon leave him, disgusted with the insupportable profligacy of his society; and Mr. Fox, who has been supposed his favorite, and not over-nice in the choice of company, would never keep his company habitually. In fact, he never associated with a man of sense. He has not a single idea of justice, morality, religion, or of the rights of men, or any anxiety for the opinion of the world. He carries that indifference for fame so far, that he would probably not be hurt were he to lose his throne, provided he could be assured of having always meat, drink, horses, and women. In the article of women, nevertheless, he is become more correct, since his connection with Mrs. Fitzherbert, who is an honest and worthy woman: he is even less crapulous than he was. He had a fine person, but it is becoming coarse. He possesses good native common sense; is affable, polite, and very good humored. Saying to my informant, on another occasion, "your friend, such a one, dined with me yesterday, and I made him damned drunk;"

Digitized by Google

he replied, "I am sorry for it; I had heard that your royal highness had left off drinking:" the Prince laughed, tapped him on the shoulder very good naturedly, without saying a word, or ever after showing any displeasure. The Duke of York, who was for some time cried up as the prodigy of the family, is as profligate, and of less understanding. To these particular traits, from a man of sense and truth, it would be superfluous to add the general terms of praise or blame, in which he is spoken of by other persons, in whose impartiality and penetration I have less confidence. A sample is better than a description. For the peace of Europe, it is best that the King should give such gleamings of recovery, as would prevent the regent or his ministry from thinking themselves firm, and yet, that he should not recover.

This country advances with a steady pace towards the establishment of a constitution, whereby the people will resume the great mass of those powers, so fatally lodged in the hands of the King. During the session of the Notables, and after their votes against the rights of the people, the parliament of Paris took up the subject, and passed a vote in opposition to theirs (which I send you). This was not their genuine sentiment; it was a manœuvre of the young members, who are truly well disposed, taking advantage of the accidental absence of many old members, and bringing others over by the clause, which, while it admits the negative of the States

Digitized by Google

General in legislation, reserves still to the parliament the right of enregistering, that is to say, another negative. The Notables persevered in their opinion. The Princes of the blood, (Monsieur and the Duke d'Orleans excepted,) presented and published a memoir, threatening a scission. The parliament were proposing to approve of that memoir, (by way of rescinding their former vote,) and were prevented from it by the threat of a young member to impeach (*denoncer*) the memoir and the Princes who signed it. The vote of the Notables, therefore, remaining balanced by that of the Parliament, the voice of the nation becoming loud and general for the rights of the Tiers État, a strong probability that if they were not allowed one half the representation, they would send up their members with express instructions to agree to no tax and to no adoption of the public debts, and the court really wishing to give them a moiety of the representation, this was decided on ultimately. You are not to suppose that these dispositions of the court proceed from any love of the people, or justice towards their rights. Courts love the people always, as wolves do the sheep. The fact is this. The court wants money. From the Tiers État they cannot get it, because they are already squeezed to the last drop. The clergy and the nobles, by their privileges and their influence, have hitherto screened their property in a great degree, from public contribution. That half of the orange then, remains yet to be squeezed, and for this

Digitized by Google

operation there is no agent powerful enough, but the people. They are, therefore, brought forward as the favorites of the court, and will be supported by them. The moment of crisis will be the meeting of the States; because their first act will be, to decide whether they shall vote by persons or by orders. The clergy will leave nothing unattempted to obtain the latter; for they see that the spirit of reformation will not confine itself to the political, but will extend to the ecclesiastical establishment also. With respect to the nobles, the younger members are generally for the people, and the middle aged are daily coming over to the same side; so that by the time the States meet, we may hope there will be a majority of that body also in favor of the people, and consequently for voting by persons, and not by orders.

You will perceive, by the report of Mr. Neckar, (in the gazette of France,) 1, a renewal of the renunciation of the power of imposing a new tax by the King, and a like renunciation of the power of continuing any old one; 2, an acknowledgment that the States are to appropriate the public moneys, which will go to the binding the court to a civil list; 3, a consent to the periodical meeting of the States; 4, to consider of the restrictions of which *lettres de cachet* are susceptible; 5, the degree of liberty to be given to the press; 6, a bill of rights; and 7, there is a passage which looks towards the responsibility of ministers. Nothing is said of communicating to them a share in the legislation. The ministry,

Digitized by Google

perhaps, may be unwilling to part with this, but it will be insisted on in the States. The letters of convocation will not appear till towards the latter end of the month: neither time nor place are yet declared, but Versailles is talked of, and we may well presume that some time in April will be fixed on. In the meantime, Mr. Neckar gets money to keep the machine in motion. Their funds rose slowly, but steadily, till within these few days, when there was a small check. However, they stand very well, and will rise. The *caisse d'escompte* lent the government twenty-five millions, two days ago. The navy of this country sustained a heavy loss lately, by the death of the Bailli de Suffrein. He was appointed Generalissimo of the Atlantic, when war was hourly expected with England, and is certainly the officer on whom the nation would have reposed its principal hopes, in such a case. We just now hear of the death of the Speaker of the House of Commons, before the nomination of a regent, which adds a new embarrassment to the re-establishment of government in England.

Since writing mine of November the 29th, yours of the 23d of September has come to hand. As the General of the Mathurins was to be employed in the final redemption of our captives, I thought that their previous support had better be put into his hands, and conducted by himself in such a way as not to counterwork his plan of redemption, whenever we can enable him to begin on it. I gave him

Digitized by Google

full powers as to the amount and manner of subsisting them. He has undertaken it, informing me, at the same time, that it will be on a very low scale, to avoid suspicion of its coming from the public. He spoke of but three sous a day per man, as being sufficient for their physical necessaries, more than which, he thinks it not advisable to give. I have no definitive answer yet from our bankers, whether we may count on the whole million last agreed to be borrowed, but I have no doubt of it, from other information, though I have not their formal affirmative. The gazettes of Leyden and France to this date, accompany this. I have the honor to be, with sentiments of the most perfect esteem and respect, Sir, your most obedient, and most humble servant.

TO JAMES MADISON.

PARIS, January 12, 1789.

DEAR SIR,—My last to you was of the 18th of November; since which, I have received yours of the 21st of September and October the 8th, with the pamphlet on the Mohican language, for which, receive my thanks. I endeavor to collect all the vocabularies I can, of the American Indians, as of those of Asia, persuaded, that if they ever had a common parentage, it will appear in their languages.

I was pleased to see the vote of Congress, of September the 16th, on the subject of the Mississippi, as I

Digitized by Google

had before seen, with great uneasiness, the pursuits of other principles, which I could never reconcile to my own ideas of probity or wisdom, and from which, and my knowledge of the character of our western settlers, I saw that the loss of that country was a necessary consequence. I wish this return to true policy, may be in time to prevent evil. There has been a little foundation for the reports and fears relative to the Marquis de La Fayette. He has, from the beginning, taken openly part with those who demand a constitution; and there was a moment that we apprehended the Bastile; but they ventured on nothing more, than to take from him a temporary service, on which he had been ordered; and this, more to save appearances for their own authority, than anything else; for at the very time they pretended that they had put him into disgrace, they were constantly conferring and communicating with him. Since this, he has stood on safe ground, and is viewed as among the foremost of the patriots. Everybody here is trying their hand at forming declarations of rights. As something of that kind is going on with you also, I send you two specimens from hence. The one is by our friend of whom I have just spoken. You will see that it contains the essential principles of ours, accommodated as much as could be, to the actual state of things here. The other is from a very sensible man, a pure theorist, of the sect called the economists, of which Turgot was considered as the head. The former is adapted

Digitized by Google

to the existing abuses, the latter goes to those possible, as well as to those existing.

With respect to Dr. Spence, supposed to have been taken by the Algerines, I think the report extremely improbable. O'Bryan, one of our captives there, has constantly written to me, and given me information on every subject he thought interesting. He could not have failed to know if such a capture had been made, though before his time, nor to inform me of it. I am under perpetual anxiety for our captives there. The money, indeed, is not yet ready at Amsterdam; but when it shall be, there are no orders from the board of treasury to the bankers, to furnish what may be necessary for the redemption of the captives; and it is so long since Congress approved the loan, that the orders of the treasury for the application of the money would have come, if they had intended to send any. I wrote to them early on the subject, and pointedly. I mentioned it to Mr. Jay also, merely that he might suggest it to them. The payments to the foreign officers, will await the same formality.

I thank you for your attention to the case of Mrs. Burke. We have no news of Dr. Franklin since July last, when he was very ill. Though the silence of our letters on that subject is a proof that he is well, yet there is an anxiety here among his friends. We have lately had three books published, which are of great merit, in different lines. The one is in seven volumes, octavo, by an Abbé Barthelemy,

Digitized by Google

wherein he has collected every subject of Grecian literature, after a labor of thirty years. It is called "*Les voyages d'Anacharsis.*" I have taken a copy for you, because the whole impression was likely to be run off at once. The second is a work on government, by the Marquis de Condorcet, two volumes, octavo. I shall secure you a copy. The third are the works of the King of Prussia, in sixteen volumes, octavo. These were a little garbled at Berlin, before printed. The government lays its hands on all which come here, and change some leaves. There is a genuine edition published at Balse, where even the garblings of Berlin are re-established. I doubt the possibility of getting a copy, so vigilant is the government as to this work. I shall obtain you one, if it be possible. As I write all the public news to Mr. Jay, I will not repeat it to you. I have just received the Flora Caroliniana of Walter, a very learned and good work. I am, with very sincere esteem and respect, dear Sir, your friend and servant.

TO JOHN JAY.

PARIS, January 14, 1789.

SIR,—In my letter of the 11th, I have said nothing of the *Arret* explanatory of that of September the 28th, on the subject of whale oils, which my letter of November the 19th gave you reason to expect. Though this explanatory *Arret* has been

Digitized by Google

passed so long ago as the 7th of December, it has not been possible for me to obtain an authentic copy of it, till last night. I now enclose that to you, with a copy of a letter to me from Mr. Neckar, on the subject. The reception of our oils, in the meantime, is provided for by an intermediate order. You will observe, that in the *Arret* it is said to be passed "provisoirement," and that Mr. Neckar expressly holds up to us in his letter, a repeal, whenever the national fishery supplies their wants. The *Arret*, however, is not limited in its duration, and we have several chances against its repeal. It may be questioned, whether Mr. Neckar thinks the fishery worth the expense. It may be well questioned, whether, either with or without encouragement, the nation whose navigation is the least economical of all in Europe, can ever succeed in the whale fishery, which calls for the most rigorous economy. It is hoped that a share in the legislation will pass immediately into the hands of the States General, so as to be no longer in the power of the *commis* of a bureau, or even of his minister to smuggle a law through, unquestioned; and we may even hope that the national demand for this oil will increase faster than both their and our fisheries together will supply. But in spite of all these hopes, if the English should find means to cover their oils under our name, there will be great danger of a repeal. It is essential, then, that our government take effectual measures to prevent the English from obtaining genuine sea

Digitized by Google

papers, that they enable their consuls in the ports of France (as soon as they shall be named) to detect counterfeit papers, and that we convince this government that we use our best endeavors with good faith, as it is clearly our interest to do; for the rivalship of the English, is the only one we have to fear. It had already begun to render our oils invendible in the ports of France. You will observe that Mr. Neckar renews the promise of taking off the ten sous *pour* livre, at the end of the next year.

Oczakow is at length taken by assault. The assailants were fourteen thousand, and the garrison twelve thousand, of whom seven thousand were cut to pieces before they surrendered. The Russians lost three thousand men. This is the Russian version, of which it is safe to believe no part, but that Oczakow is taken. The Speaker of the English House of Commons, having died suddenly, they have chosen Mr. Grenville, a young man of twenty seven years of age. This proves that Mr. Pitt is firm with the present parliament.

I have the honor to be, with sentiments of the most perfect esteem and respect, Sir, your most obedient, and most humble servant.

TO MR. ADAMS.

PARIS, January 14, 1789.

DEAR SIR,—I now do myself the pleasure to enclose to you a copy of the *Arret* explanatory of that of

Digitized by Google

September 28th, on the subject of our whale oils. Mr. Neckar in a letter to me has reserved the promise of taking off the ten sous per livre at the end of the next year. But, at the same time, he observes that whenever the national fishery shall be able to supply their demand for whale oil, we must expect a repeal of this *Arret*, which therefore expresses itself to be *provisory*. However, their navigation being the most expensive in Europe, they are the least likely to succeed in a whale fishery, without encouragements more extravagant than even those they now give; and it remains to be seen whether Mr. Neckar will continue to give even the present. I am informed there will be fewer French adventurers the next year than there has been this; so that if there be an apparent increase of their fishery, it will be by drawing over more of our fishermen. It is probable the States General will obtain a participation in the legislation, which will render their laws more stable, and more to be relied on. Mr. Neckar has also promised that if the present *Arret* should at any time be repealed, there shall be a sufficient space of time allowed for the reception of the oils which shall have been previously embarked. But our principal, if not our only danger, of a repeal being brought on, will come from the endeavors of the English to introduce their oils under color of ours, perhaps even with the assistance of our own merchants. Some effectual means must be adopted to prevent them from

Digitized by Google

were pleased to honor me, on the claims of Monsieur Klein against the United States; and immediately endeavored to inform myself of their foundation, by an examination of the journals of Congress. Congress, consisting of many persons, can only speak by the organ of their records. If they have any engagements, they are to be found there. If not found there, they can never have existed. I proceeded to this examination, with all the partialities which were naturally inspired by the interest you are so good as to take in his behalf, the desire of doing what will be agreeable to you, and a disposition to obtain for him the justice which might be his due. I have extracted, literally, from those journals, everything I find in them on his subject, and I take the liberty of enclosing you those extracts. From them, as well as from what I recollect of the ordinary train of business about the years 1778 and 1779, I presume the following to be very nearly the history of Monsieur Klein's case.

Congress were generally desirous of adding to their army during the war. Among other methods attempted, it was usual for foreigners (multitudes of whom went to ask command), when they found there was no vacancy, to propose to raise troops themselves, on condition they should have commissions to command them. I suppose that Messrs. Klein, Fearer and Kleinsmit (named in the resolution of Congress of 1788, and whom, from their names, I conjecture to be Germans), offered to enlist

Digitized by Google

a body of men from among the German prisoners taken with General Burgoyne at Saratoga, on condition that Fearer and Kleinsmit should be captains over them, and Klein, lieutenant colonel. Three months seem to have been allowed them for raising their corps. However, at the end of ten months it seems they had engaged but twenty-four men, and that all of these, except five, had deserted. Congress, therefore, put an end to the project, June the 21st, 1779 (and not in July, 1780, as Monsieur Klein says), by informing him they had no farther use for his services, and giving him a year's pay and subsistence to bring him to Europe. He chose to stay there three and a half longer, as he says, to solicit what was due to him. Nothing could ever have been due to him, but pay and subsistence for the ten months he was trying to enlist men, and the donation of a year's pay and subsistence; and it is not probable he would wait three years and a half to receive these. I suppose he has staid in hopes of finding some other opening for employment. If these articles of pay and subsistence have not been paid to him, he has the certificates of the paymaster and commissary to prove it; because it was an invariable rule, when demands could not be paid, to give the party a certificate, to establish the sum due to him. If he has not such a certificate, it is a proof he has been paid. If he has it, he can produce it, and, in that case, I will undertake to represent his claim to our government, and will answer for their justice.

Digitized by Google

It would be easy to correct several inaccuracies in the letter of Monsieur Klein, such as that Congress *engaged* to give him a regiment; that he paid the recruiting money *out of his own pocket;* that his soldiers had *nothing but bread and water;* that Congress had promised him they would pay his soldiers in *specie*, etc.; some of which are impossible, and others very improbable; but these would be details too lengthy, Madam, for you to be troubled with. Klein's object is to be received at the hospital of invalids. I presume he is not of the description of persons entitled to be received there, and that his American commission and American grievances, are the only ground he has whereon to raise a claim to reception. He has, therefore, tried to make the most of them. Few think there is any immorality in scandalizing governments or ministers; and M. Klein's distresses render this resource more innocent in him than it is in most others.

Your commands, Madam, to give what information I could, have drawn thus much from me. I would not wish to weaken the hopes he so justly rests on your known goodness and benevolence. On the contrary, the weaker his claim elsewhere, the stronger they will plead in your bosom to procure him relief; and whatever may be done for him here, I repeat it, that if he has any just demand against the United States, and will furnish me with proofs of it, I will solicit it with zeal, and, I trust, with effect. To procure him justice will be one gratifica-

Digitized by Google

tion, and a great additional one will be, that he has procured me the occasion of offering you my portion of the general tribute so justly due for all the good you have done, and all you are perpetually endeavoring to do. Accept then, Madam, I pray you, this homage from one whose motives are pure truth and justice, when he assures you of the sincerity of those sentiments of esteem and respect with which he has the honor to be, Madam, your most obedient, and most humble servant.

TO JOHN JAY.

PARIS, February 4, 1789.

SIR,—Your favor of November the 25th, by Gouverneur Morris, is duly received. I must beg you to take the trouble of deciphering yourself what follows, and to communicate it to nobody but the President, at least for the present.

We had before understood, through different channels, that the conduct of Count de Moustier was politically and morally offensive. It was delicate for me to speak on the subject to the Count de Montmorin. The invaluable mediation of our friend, the Marquis de La Fayette, was therefore resorted to, and the subject explained, though not pressed. Later intelligence showing the necessity of pressing it, it was yesterday resumed, and represented through the same medium to the Count de Montmorin, that recent information proved to us, that

Digitized by Google

his minister's conduct had rendered him personally odious in America, and might even influence the dispositions of the two nations; that his recall was become a matter of mutual concern; that we had understood he was instructed to remind the new government of their debt to this country, and that he was in the purpose of doing it in very harsh terms; that this could not increase their desire of hastening payment, and might wound their affections; that, therefore, it was much to be desired that his discretion should not be trusted to, as to the form in which the demand should be made, but that the letter should be written here, and he instructed to add nothing but his signature; nor was his private conduct omitted. The Count de Montmorin was sensibly impressed. He very readily determined that the letter should be formed here, but said that the recall was a more difficult business; that as they had no particular fact to allege against the Count de Moustier, they could not recall him from that ministry without giving him another, and there was no vacancy at present. However, he would hazard his first thoughts on the subject, saving the right of correcting them by further consideration. They were these: that there was a loose expression in one of de Moustier's letters, which might be construed into a petition for leave of absence; that he would give him permission to return to France; that it had been before decided, on the request of the Marquis de La Luzerne, that Otto should go to him to London;

Digitized by Google

that they would send a person to America as chargé des affaires in place of Otto, and that if the President (General Washington) approved of him, he should be afterwards made minister. He had cast his eye on Colonel Ternant, and desired the Marquis to consult me whether he would be agreeable. At first I hesitated, recollecting to have heard Ternant represented in America as an hypochondriac, discontented man, and paused for a moment between him and Barthelemy, at London, of whom I have heard a great deal of good. However, I concluded it safer to take one whom we knew, and who knew us. The Marquis was decidedly of this opinion. Ternant will see that his predecessor is recalled for unconciliatory deportment, and that he will owe his own promotion to the approbation of the President. He established a solid reputation in Europe, by his conduct when Generalissimo of one of the United Provinces, during their late disturbances; and it is generally thought, that if he had been put at the head of the principal province, instead of the Rhingrave de Salm, he would have saved that cause. Upon the whole, I believe you may expect that the Count de Moustier will have an immediate leave of absence, which will soon after become a recall in effect. I will try, also, to have the consuls admonished as to the line of conduct they should observe. I shall have the honor of writing you a general letter within a few days. I have now that of assuring you of the sentiment of sincere esteem and respect, with

Digitized by Google

which I am, dear Sir, your most obedient, and most humble servant.

TO WILLIAM SHORT.

PARIS, February 9, 1789.

DEAR SIR,—I wrote you last on the 22d of January, on which day I received yours of December the 31st, and since that, the other of January the 14th. We have now received news from America down to the middle of December. They had then had no cold weather. All things relative to our new Constitution were going on well. Federal senators are: New Hampshire, President Langdon and Bartlett. Massachusetts, Strong and Dalton. Connecticut, Dr. Johnson and Ellsworth. New Jersey, Patterson and Ellmer. Pennsylvania, Robert Morris and M'Clay. Delaware, Reed and Bassett. Virginia, Richard Henry Lee and Grayson. Maryland, Charles Carroll of Carrollton, and John Henry. All of these are federalists except those of Virginia; so that a majority of federalists are secured in the Senate, and expected in the House of Representatives. General Washington will be President, and probably Mr. Adams Vice-President. So that the Constitution will be put under way by those who will give it a fair trial. It does not seem probable that the attempt of New York to have another convention to make amendments, will succeed, though Virginia concurs in it. It is tolerably certain that Congress will propose amendments to the Assemblies, as even

Digitized by Google

the friends of the Constitution are willing to make amendments; some from a conviction they are necessary, others, from a spirit of conciliation. The addition of a bill of rights, will, probably, be the most essential change. A vast majority of anti-federalists have got into the Assembly of Virginia, so that Mr. Henry is omnipotent there. Mr. Madison was left out as a senator by eight or nine votes; and Henry has so modelled the districts for representatives, as to tack Orange to counties where he himself has great influence, that Madison may not be elected into the lower federal House, which was the place he had wished to serve in, and not the Senate. Henry pronounced a philippic against Madison in open Assembly, Madison being then at Philadelphia. Mifflin is President of Pennsylvania, and Peters, Speaker. Colonel Howard is Governor of Maryland. Beverly Randolph, Governor of Virginia; (this last is said by a passenger only, and he seems not very sure). Colonel Humphreys is attacked in the papers for his French airs, for bad poetry, bad prose, vanity, etc. It is said his dress, in so gay a style, gives general disgust against him. I have received a letter from him. He seems fixed with General Washington. Mayo's bridge, at Richmond, was completed, and carried away in a few weeks. While up, it was so profitable that he had great offers for it. A turnpike is established at Alexandria, and succeeds. Rhode Island has again refused to call a convention. Spain has granted to Colonel Morgan, of New Jersey,

Digitized by Google

a vast tract of land on the western side of the Mississippi, with the monopoly of the navigation of that river. He is inviting settlers, and they swarm to him. Even the settlement of Kentucky is likely to be much weakened by emigrations to Morgan's grant. Warville has returned, charmed with our country. He is going to carry his wife and children to settle there. Gouverneur Morris has just arrived here; deputed, as is supposed, to settle Robert Morris' affairs, which continue still deranged. Doctor Franklin was well when he left America, which was about the middle of December.

* * * * * * * * *

I send Mr. Rutledge two letters by this post. Be so good as to present him my esteem, and to be assured yourself of the sincere esteem and attachment with which I am, and shall ever be, dear Sir, your affectionate friend and servant.

TO M. DE VILLEDEUIL.

PARIS, February 10, 1789.

SIR,—I take the liberty of troubling your Excellency with the following case, which I understand to be within your department. Mr. Jay, Secretary for Foreign Affairs to the United States of America, having occasion to send me despatches of great importance, and by a courier express, confided them to a Mr. Nesbitt, who offered himself in that char-

Digitized by Google

acter. He has delivered them safely; but, in the moment of delivering them, explained to me his situation, which is as follows. He was established in commerce at L'Orient during the war. Losses by shipwreck, by capture, and by the conclusion of the peace at a moment when he did not expect it, reduced him to bankruptcy, and he returned to America, without the consent of his creditors, to make the most of his affairs there. He has been employed in this ever since, and now wishing to see his creditors, and to consult them on their mutual interests, he availed himself of Mr. Jay's demand for a courier, to come under the safe conduct of that character to Paris, where he flattered himself he might obtain that of your Excellency, for the purpose of seeing his creditors, settling and arranging with them. He thinks a twelvemonth will be necessary for this. Understanding that it is not unusual to grant safe conducts in such cases, and persuaded it will be for the benefit of his creditors, I take the liberty of enclosing his memoir to your excellency, and of soliciting your favorable attention to it, assured that it will not be denied him, if it be consistent with the established usage; and if inadmissible, praying that your Excellency will have the goodness to give me as early an answer as the other arduous occupations in which you are engaged will admit, in order that he may know whether he may see his creditors, or must return without. I am encouraged to trouble your Excellency with this application, by the goodness

Digitized by Google

with which you have been pleased to attend to our interests on former occasions, and by the desire of availing myself of every occasion of proffering to you the homage of those sentiments of attachment and respect, with which I have the honor to be, your Excellency's most obedient, and most humble servant.

TO MR. WILLIAM SHORT.

PARIS, February 28, 1789.

DEAR SIR,—I wrote you last on the 9th instant. Yours of the 11th, came to hand yesterday evening. Some of its enquiries will have already been answered to you. We have no information from America down to the middle of January. Things were going on so well that our letters afford nothing interesting scarcely. The opposition to the new Constitution grows feebler. Everywhere the elections are federal. In New York they had not yet been able to agree in the choice of senators, nor even in the manner of choosing. The new government begins on Wednesday next. Its friends consent to some changes, and particularly to the annexation of a declaration of rights. This will probably be proposed by Congress to the several assemblies, and thus a new convention be avoided. The Virginia Assembly met October 23. They choose for their speaker, Thomas Mathews, (who is this?). They are furiously anti-federal. They have passed a bill rendering every

Digitized by Google

person holding any federal office incapable of holding at the same time any State office. This is a declaration of war against the new Constitution. Mr. Adams is generally expected to be the Vice-President. Hancock is his only competitor. Others are sometimes talked of, but not with their own consent. I see in a Virginia paper of last summer, that George Nicholas advertised his departure to settle in Kentucky this present month of February. Great numbers of American vessels are now arriving in the ports of France with flour and wheat, in consequence of the demand of this country and of the bounty it gives. I have received a letter from Ladian, dated Grand Cairo, September 10. He was just then about to plunge into the *terræ incogniæ* of Africa. This morning, I received one from Admiral Paul Jones, dated St. Petersburg, January 30, he was just arrived there at the desire of the Empress. He has commanded hitherto on the Black Sea, but does not know whether the Empress destines him to return there or to take any other command.

There has been an affray in Brittany between the Noblesse and people, in which some few were killed. Things there are now quiet, and all the rest of the kingdom is going on well towards its object. In some places, as in Burgundy and Franche-compte, there is an opposition by the Noblesse indeed against the manifest sense of the nation, but I do not apprehend any serious evil from it. The States General are likely to meet under happy auspices. It would

Digitized by Google

seem that the government thinks they will end well, because I observe in their communications with certain unfriendly courts they assume a tone which had been laid aside for some time. Their effects stand well. * * * * * *

The King of England seems to be in a state of convalescence. The symptoms of a return of reason are such that on the 19th instant the House of Lords put off the reading of the Regency bill, and it is even thought there will be no regency, nor any change of ministry. There are not yet sufficient data to ground a judgment whether there will be peace or not between the Turks and the two empires, nor what part Russia will take in the affairs of Poland. The preparations of Sweden and Denmark so far announce a continuation of the war. You have heard, doubtless, of the revolution which took place in Geneva about the last of January. It was the work of three or four days only, and with little bloodshed their ancient constitution is almost completely re-established. Their exiles are to be recalled, the foreign garrison sent off, the Bourgeois guard the city, and the nomination of the Syndics is restored to the council of two hundred. I see no reason to doubt the permanence of this reformation. Here all your acquaintances are well. I continue to keep my house and on such terms as will induce me to keep it as long as I remain in Europe. I fear my departure in the spring may be retarded, as Gouverneur Morris tells me there would be no probability

Digitized by Google

that the old Congress would re-assemble. In this case I cannot receive my leave of absence from the new government. I have proposed to them the naming you *Chargé des Affaires* to take care of their business during my absence. You know that we must not be too sanguine on these occasions.

* * * * * * * * *

TO DR. BANCROFT.

PARIS, March 2, 1789.

DEAR SIR,—I have just received a letter of January 31st from Admiral Paul Jones, at Petersburg, in which, charging me with the execution of some commissions, and these requiring money, he tells me you will answer my drafts to the amount of four or five thousand livres, on his account. Be so good as to inform me whether you will pay such drafts.

A Monsieur Foulloy, who has been connected with Deane, lately offered me for sale two volumes of Deane's letter books and account books, that he had taken instead of money, which Deane owed him. I have purchased them on public account. He tells me Deane has still six or eight volumes more, and being to return soon to London, he will try to get them also, in order to make us pay high for them. You are sensible of the impropriety of letting such books get into hands which might make an unfriendly use of them. You are sensible of the immorality of an ex-minister's selling his secrets for

Digitized by Google

money; and consequently that there can be no immorality in tempting him with money to part with them; so that they may be restored to that government to whom they properly belong. Your former acquaintance with Deane may, perhaps, put it in your power to render our country the service of recovering those books. It would not do to propose it to him as for Congress. What other way would best bring it about, you know best. I suppose his distresses and his crapulous habits, will not render him difficult on this head. On the supposition that there are six or eight volumes, I think you might venture as far as fifty guineas, and proportionably for fewer. I will answer your draft to this amount and purpose, or you may retain it out of any moneys you may propose to pay me for Admiral Jones. There is no time to lose in this negotiation, as, should Foulloy arrive there before it is closed, he will spoil the bargain. If you should be able to recover these books, I would ask the favor of you to send them to me by the Diligence, that I may carry them back with me to America. I make no apology for giving you this trouble. It is for our common country, and common interest.

I am, with sincere and great esteem and attachment, dear Sir, your most obedient humble servant.

Digitized by Google

TO MR. SHIPPEN.

PARIS, March 11, 1789.

DEAR SIR,—I had wished to acknowledge the receipt of your favors of January the 19th, and February the 3d, by a private conveyance, but none such having occurred, nor being likely to occur, I must write you such a letter as may go through the inspection of both post offices.

The affairs of this country are still going on well. There are loud contestations indeed in one or two of the provinces, and in Brittany these have come to blows, and some three or four or five people have been killed. Still the opposition to the revolution which is working has been miraculously small, and he who would predict of its failure from the little obstacles which have happened, would be about as good a prophet as he who, from the loss of two or three skirmishes on our part, would have foretold our final failure in the American revolution. All the world here is occupied in electioneering, in choosing or being chosen; and, as far as Paris may be considered as affording a specimen of the public mind, we may say it is almost thoroughly ripe for a just decision of the great question of voting by orders or by persons. The difficulties which now appear threatening to my mind, are those which will result from the size of the Assembly. Twelve hundred persons of any rank and of any nation assembled together, would with difficulty be prevented from

Digitized by Google

tumult and confusion. But when they are to compose an assembly for which no rules of debate or proceeding have been yet formed, in whom no habits of order have been yet established, and to consist moreover of Frenchmen, among whom there are always more speakers than listeners, I confess to you I apprehend some danger. However, I still hope that the goodness of the body, and the coolness and collectedness of some of their leaders, will keep them in the right way, and that this great Assembly will end happily.

The war in the north will, I think, continue, and perhaps spread as far as Prussia. The present and probable situation of the Executive in England, will, I presume, prevent their engaging otherwise than by giving money. If so, this country will certainly not engage herself the present year, and after the present year, if her States General pass over well, she will be in a condition to do what she pleases. I have lately received a letter from Admiral Paul Jones, dated at Petersburg, about the last of January. He was just arrived there on the call of the Empress, and uninformed where he was to act the ensuing campaign. We have no news from America later than the 10th of January, when things were going on well. I find that the friends of the new Constitution are generally disposed to make such changes as may be requisite to guard liberty. This will probably reconcile the bulk of the opposition. Nothing would be more agreeable to me than

Digitized by Google

your company on our voyage to Virginia, and I am sorry I am unable to give such an idea of the epoch of it, as might enable you to decide whether it suited you. Gouverneur Morris, who is here, informs me that not only there was no Congress when he came away, but that none was expected till the new government. My letters asking leave of absence were not then arrived, and consequently I cannot have that leave but from the new government, nor expect that even they will take it up among their first subjects. This renders the time of my receiving permission uncertain, and should it be so late as that I cannot go, do my business there, and return in the fall, I shall prefer postponing my departure hence to the fall, so that I may return in the spring, being quite decided against a winter passage. You see, therefore, my dear Sir, the impossibility of my fixing the epoch of my departure. Pray continue to me during your stay your interesting political information, and accept assurances of the esteem and respect with which I am, dear Sir, your most obedient humble servant.

TO JOHN JAY.

PARIS, March 12, 1789.

SIR,—I had the honor of addressing you on the 1st instant, through the post. I write the present, uncertain whether Mr. Nesbitt, the bearer of your last, will be the bearer of this, or whether it may not

Digitized by Google

have to wait some other private occasion. They have re-established their packet-boats here indeed; but they are to go from Bordeaux, which, being between four and five hundred miles from hence, is too far to send a courier with any letters but on the most extraordinary occasions; and without a courier, they must pass through the post office. I shall, therefore, not make use of this mode of conveyance, but prefer sending my letters by a private hand, by the way of London. The uncertainty of finding private conveyances to London, is the principal objection to this.

On the receipt of your letter, advising me to purchase the two volumes of Deane's letters and accounts, I wrote to the person who had them, and after some offers and refusals, he let me have them for twenty-five louis, instead of twenty louis asked at first. He told me that Deane had still six or eight volumes more, and that when he should return to London, he would try to get them, in order to make himself whole for the money he had lent Deane. As I knew he would endeavor to make us pay dear for them, and it appeared to be your opinion and that of the members you had consulted, that it was an object worthy attention, I wrote immediately to a friend in London, to endeavor to purchase them from Deane himself, whose distresses and crapulous habits will probably render him more easy to deal with. I authorized him to go as far as fifty guineas. I have as yet no answer

Digitized by Google

from him. I enclose you a letter which I wrote last month to our bankers in Holland. As it will itself explain the cause of its being written, I shall not repeat its substance here. In answer to my proposition, to pay bills for the medals and the redemption of our captives, they quote a resolution of Congress (which, however, I did not find in the printed journals) appropriating the loans of 1787 and 1788 to the payment of interest on the Dutch loans till 1790, inclusive, and the *residue* to salaries and contingencies in Europe, and they argue that, according to this, they are not to pay anything in Europe, till they shall first have enough to pay all the interest which will become due to the end of the year 1790; and that it is out of personal regard, that they relax from this so far as to pay diplomatic salaries. So that there is a clear declaration they will answer no other demands, till they have in hand money enough for all the interest to the end of the year 1790. It is but a twelvemonth since I have had occasion to pay attention to the proceedings of those gentlemen; but during that time, I have observed, that as soon as a sum of interest is becoming due, they are able to borrow just that, and no more; or, at least, only so much more as may pay our salaries and keep us quiet. Were they not to borrow for the interest, the failure to pay that would sink the value of the capital, of which they are considerable sharers. So far, their interests and ours concur. But there, perhaps, they may separate. I think it

Digitized by Google

possible, they may choose to support our credit to a certain point, and let it go no further, but at their will; to keep it so poised, as that it may be at their mercy. By this, they may be sure to keep us in their own hands. They write word to the treasury, that in order to raise money for the February interest, they were obliged to agree with the subscribers, that Congress should open no other loan at Amsterdam this year, till this one be filled up, and that this shall not be filled but by the present subscribers, and they not obliged to fill it. This is delivering us, bound hand and foot, to the subscribers, that is, to themselves. Finding that they would not raise money for any other purpose, without being pushed, I wrote the letter I enclose you. They answer, as I have stated, by refusing to pay, alleging the appropriation of Congress. I have written again, to press them further, and to propose to them the payment of thirty thousand florins only, for the case of our captives, as I am in hopes this may do. In the close of my letter to them, you will observe I refer them, as to the article of foreign officers, to the board of treasury. I had, in truth, received the printed journals a few days before, but had not yet had time to read them carefully, and particularly had not then noted the vote of Congress of August the 20th, directing me to attend to that article. I shall not fail to do what I can in it; but I am afraid they will consider this also as standing on the same ground with the other contingent articles.

Digitized by Google

This country, being generally engaged in its elections, affords nothing new and worthy of communication. The hopes of accommodation between Turkey and the two empires, do not gain strength. The war between Russia and Denmark on the one hand, and Sweden on the other, is likely also to go on, the mediation of England being rendered of little force by the accident to its Executive. The progress of this war, and also of the broils in Poland, may possibly draw the King of Prussia into it, during the ensuing campaign; and it must, before it be finished, take in this country, and perhaps England. The ill humor on account of the Dutch revolution continues to rankle here. They have recalled their ambassador from the Hague, and manifestly to show their dissatisfaction with that court, and some very dry memorials have lately been exchanged, on the subject of the money this country assumed to pay the Emperor, for the Dutch. I send you very full extracts of these, which will show you the dispositions of the two courts towards each other. Whether, and when this country will be able to take an active part, will depend on the issue of the States General. If they fund their public debts judiciously, and will provide further funds for a war, on the English plan, I believe they will be able to borrow any sums they please. In the meantime, the situation of England will leave them at leisure to settle their internal affairs well. That ministry, indeed, pretend their King is perfectly re-established. No

Digitized by Google

doubt they will make the most of his amendment, which is real, to a certain degree. But as, under pretence of this, they have got rid of the daily certificates of the physicians, and they are possessed of the King's person, the public must judge hereafter from such facts only as they can catch. There are several at present which, put together, induce a presumption that the King is only better, not well. And should he be well, time will be necessary to give a confidence, that it is not merely a lucid interval. On the whole, I think we may conclude, that that country will not take a part in the war this year, which was by no means certain before.

M. del Pinto, formerly minister of Portugal at London, and the same who negotiated the treaty with us, being now put at the head of the ministry of that country, I presume that negotiation may be renewed successfully, if it be the desire of our government. Perhaps an admission of our flour into their ports may be obtained now, as M. del Pinto seemed impressed with our reasoning on that subject, and promised to press it on his court, though he could not then venture to put it into the treaty. There is not the same reason to hope any relaxation as to our reception in Brazil, because he would scarcely let us mention that at all. I think, myself, that it is their interest to take away all temptations to our co-operation in the emancipation of their colonies; and I know no means of doing this, but the making it our interest that they should continue

Digitized by Google

dependent, nor any other way of making this our interest, but by allowing us a commerce with them. However, this is a mode of reasoning which their ministry, probably, could not bear to listen to.

I send herewith the gazettes of France and Leyden, and have the honor to be, Sir, your most obedient, and most humble servant.

TO FRANCIS HOPKINSON.

PARIS, March 13, 1789.

DEAR SIR,—Since my last, which was of December the 21st, yours of December the 9th and 21st are received. Accept my thanks for the papers and pamphlets which accompanied them, and mine and my daughter's, for the book of songs. I will not tell you how much they have pleased us, nor how well the last of them merits praise for its pathos, but relate a fact only, which is, that while my elder daughter was playing it on the harpsichord, I happened to look towards the fire, and saw the younger one all in tears. I asked her if she was sick? She said "no; but the tune was so mournful."

The Editor of the Encyclopédie has published something as to an advanced price on his future volumes, which, I understand, alarms the subscribers. It was in a paper which I do not take, and therefore I have not yet seen it, nor can I say what it is. I hope that by this time you have ceased to make wry faces about your vinegar, and that

Digitized by Google

you have received it safe and good. You say that I have been dished up to you as an anti-federalist, and ask me if it be just. My opinion was never worthy enough of notice to merit citing; but since you ask it, I will tell it to you. I am not a federalist, because I never submitted the whole system of my opinions to the creed of any party of men whatever, in religion, in philosophy, in politics or in anything else, where I was capable of thinking for myself. Such an addiction, is the last degradation of a free and moral agent. If I could not go to heaven but with a party, I would not go there at all. Therefore, I am not of the party of federalists. But I am much farther from that of the anti-federalists. I approved, from the first moment, of the great mass of what is in the new Constitution; the consolidation of the government; the organization into executive, legislative, and judiciary; the subdivision of the legislative; the happy compromise of interests between the great and little States, by the different manner of voting in the different Houses; the voting by persons instead of States; the qualified negative on laws given to the executive, which, however, I should have liked better if associated with the judiciary also, as in New York; and the power of taxation. I thought at first that the latter might have been limited. A little reflection soon convinced me it ought not to be. What I disapproved from the first moment also, was the want of a bill of rights, to guard liberty against the legis-

Digitized by Google

lative as well as the executive branches of the government; that is to say, to secure freedom in religion, freedom of the press, freedom from monopolies, freedom from unlawful imprisonment, freedom from a permanent military, and a trial by jury, in all cases determinable by the laws of the land. I disapproved, also, the perpetual re-eligibility of the President. To these points of disapprobation I adhere. My first wish was, that the nine first conventions might accept the constitution, as the means of securing to us the great mass of good it contained, and that the four last might reject it, as the means of obtaining amendments. But I was corrected in this wish, the moment I saw the much better plan of Massachusetts, and which had never occurred to me. With respect to the declaration of rights, I suppose the majority of the United States are of my opinion; for I apprehend, all the anti-federalists and a very respectable proportion of the federalists, think that such a declaration should now be annexed. The enlightened part of Europe have given us the greatest credit for inventing the instrument of security for the rights of the people, and have been not a little surprised to see us so soon give it up. With respect to the re-eligibility of the President, I find myself differing from the majority of my countrymen; for I think there are but three States out of the eleven which have desired an alteration of this. And indeed, since the thing is established, I would wish it not to be altered during the life of our

Digitized by Google

great leader, whose executive talents are superior to those, I believe, of any man in the world, and who, alone, by the authority of his name and the confidence reposed in his perfect integrity, is fully qualified to put the new government so under way, as to secure it against the efforts of opposition. But, having derived from our error all the good there was in it, I hope we shall correct it, the moment we can no longer have the same name at the helm.

These, my dear friend, are my sentiments, by which you will see I was right in saying I am neither federalist nor anti-federalist; that I am of neither party, nor yet a trimmer between parties. These, my opinions, I wrote within a few hours after I had read the Constitution, to one or two friends in America. I had not then read one single word printed on the subject. I never had an opinion in politics or religion, which I was afraid to own. A costive reserve on these subjects might have procured me more esteem from some people, but less from myself. My great wish is, to go on in a strict but silent performance of my duty; to avoid attracting notice, and to keep my name out of newspapers, because I find the pain of a little censure, even when it is unfounded, is more acute than the pleasure of much praise. The attaching circumstance of my present office, is, that I can do its duties unseen by those for whom they are done. You did not think, by so short a phrase in your letter, to have drawn on yourself such an egotistical dissertation. I beg your pardon for it,

Digitized by Google

and will endeavor to merit that pardon by the constant sentiments of esteem and attachment with which I am, dear Sir, your sincere friend and servant.

TO HIS EXCELLENCY COUNT DE MOUSTIER.

PARIS, March 13, 1789.

DEAR SIR,—I have now to acknowledge the honor of your several letters of Aug. 12th, Oct. 17th, and Nov. 27th, and your postcript to Madame de Brehan's of Dec. 29th. I have been discouraged from writing to you by the idea that your friends here must give you infinitely more exact information of what is passing, than I could do, who see things imperfectly only, as a stranger. But your complaints of the inexactitude of your friends in this point, will induce me hereafter to hazard more freely my communications, however imperfect. The affairs of this country go on more auspiciously than the most sanguine could have expected. The difficulties of procuring money, and of preventing a bankruptcy, continue always at such a point as to leave the administration no resource but that of an appeal to the nation, and the nation, availing itself of their advantageous position, presses on sufficiently to obtain reasonable concessions, and yet not so much as to endanger an appeal to arms. In fact, the King is altogether out of the dispute. He has said he is ready to agree to such and such articles, and the dispute is between the

Digitized by Google

privileged and unprivileged orders, how they shall divide these concessions between them. An equal taxation is agreed to by everybody; the only question is on the mode of voting; and even in this I think there is already a majority of the nobles in favor of voting by persons. Should this be the case, and should it be found practicable to organize so numerous a body as twelve hundred, so as to avoid tumult, we may hope a happy issue from the approaching convocation. One of their great objects will be to fund the public debts, and if this operation be judiciously executed, and their expenses reduced within the limits of their revenue, I see nothing to prevent their possessing the first credit in Europe, and being, of course, in a condition to enter on the stage again more respectably than they ever yet did. But they must be left in quiet this year at least. Longer still would be still better. The present situation of the antagonist nation is favorable to the necessary repose of this country. It is impossible that England can venture to engage itself in a war this year. Were the King as well as his ministry untruly pretend him to be, time is necessary to give a confidence in his recovery, and to show that it is not merely a lucid interval. In the meanwhile, the glimmerings of accommodation between the Turks and two empires do not grow stronger. On the other hand, the war in the western parts of Europe will very possibly spread farther. The accident in England has benumbed her mediation between the

Digitized by Google

Swedes and Danes, so that their war will probably go on, and, with the disturbances in Poland, may draw in the King of Prussia. This will so embroil matters, that it is impossible they should clear up but by a general war, in which France, if not England, must sooner or later take a part. Your ambassador at the Hague is recalled, and certainly on account of the ill-humor between this Court and that. Some very dry and unfriendly memorials have passed between them on the subject of the money which was to have been paid by this country for the late peace with the Emperor. These things suffice to show that France nourishes a resentment still of the treatment she has received, and to keep alive well-grounded apprehensions at the Hague that all is not done yet. Should there be a possibility of detaching the Turks from the war, so as to leave the two empires free to turn this way, or should England remain inactive, the contest in which this country may be engaged will not be difficult; but if the Turks, English, Dutch, Prussians, Poles and Swedes are all in activity, they will give warm employment to the two empires, France, Spain and Denmark, in the event of the war becoming general.

All the world here is electioneering. Paris is a desert, at least as to that description of persons who think they may be chosen themselves, or aid the choice of their friends. I hope to see this great meeting before my departure. Several elections are already over, but I am not able to give you a list

Digitized by Google

of them. Mirabeau has been declared in his province not to be a noble, whereupon he offered himself for the people, and it is said he is elected. The Duke d'Orleans has lately rendered himself very popular by decided declarations in favor of the Tiers État in all their points. He has particularly declared he will pay taxes in proportion to his property, and he has relinquished all his Capitaineries. His daughter is to be married to the Duke d'Angouleme. The Dauphin is at the last extremity. He is lately removed from Versailles to Meudon. This is considered as preparatory to a removal to St. Dennis. We have had such a winter here as is not on record. The mercury was 18½° below freezing on Reaumur's scale, and I think it was nearly two months varying between that point and zero. It gave occasion for a display of the benevolent character of this nation, which, great as I had thought it, went beyond my expectations. There seems to be a very general apprehension of the want of bread this spring. Supplies are hoped from our country, and indeed they have already reduced the price of flour at Bordeaux from 36*l.* to 33*l.* the barrel. The funds, at a low ebb when Mr. Neckar came in, recovered their ground by degrees, and have ever since remained stationary. The Court has had thoughts of coming to St. Cloud during the session of the States, but it is not yet decided. As I shall write to Madame de Brehan, I shall tender my respects to her myself. The next details I give you will be in New York,

Digitized by Google

where I hope to have the pleasure of seeing you in the summer, and of taking your orders for France. In the meantime, I am, with very sincere esteem and respect, dear Sir, vour most obedient humble servant.

TO MADAME DE BREHAN.

PARIS, March 14, 1789.

DEAR MADAM,—I had the honor of writing to you on the 15th of February; soon after which, I had the honor of receiving your favor of December the 29th. I have a thousand questions to ask you about your journey to the Indian treaty, how you like their persons, their manners, their costumes, *cuisine*, etc. But this I must defer till I can do it personally in New York, where I hope to see you for a moment in the summer, and to take your commands for France. I have little to communicate to you from this place. It is deserted; everybody being gone into the country to choose or be chosen deputies to the States General. I hope to see that great meeting before my departure. It is to be on the 27th of next month. A great political revolution will take place in your country, and that without bloodshed. A King with two hundred thousand men at his orders, is disarmed by the force of the public opinion and the want of money. Among the economies becoming necessary, perhaps one may be the opera. They say it has cost the public treasury an hundred thousand crowns the last year. A new theatre is

Digitized by Google

established since your departure; that of the Opera Buffons, where Italian operas are given, and good music. It is in the Chateau des Tuilleries. Paris is every day enlarging and beautifying. I do not count among its beauties, however, the wall with which they have enclosed us. They have made some amends for this, by making fine boulevards within and without the walls. These are in considerable forwardness, and will afford beautiful rides round the city, of between fifteen and twenty miles in circuit. We have had such a winter, Madam, as makes me shiver yet, whenever I think of it. All communications, almost, were cut off. Dinners and suppers were suppressed, and the money laid out in feeding and warming the poor, whose labors were suspended by the rigor of the season. Loaded carriages passed the Seine on the ice, and it was covered with thousands of people from morning to night, skating and sliding. Such sights were never seen before, and they continued two months. We have nothing new and excellent in your charming art of painting. In fact, I do not feel an interest in any pencil but that of David. But I must not hazard details on a subject wherein I am so ignorant, and you such a connoisseur. Adieu, my dear Madam; permit me always the honor of esteeming and being esteemed by you, and of tendering you the homage of that respectful attachment with which I am, and shall ever be, dear Madam, your most obedient humble servant.

Digitized by Google

TO JAMES MADISON.

PARIS, March 15, 1789.

DEAR SIR,—I wrote you last on the 12th of January; since which I have received yours of October the 17th, December the 8th and 12th. That of October the 17th, came to hand only February the 23d. How it happened to be four months on the way, I cannot tell, as I never knew by what hand it came. Looking over my letter of January the 12th, I remark an error of the word "probable" instead of "improbable," which doubtless, however, you had been able to correct.

Your thoughts on the subject of the declaration of rights, in the letter of October the 17th, I have weighed with great satisfaction. Some of them had not occurred to me before, but were acknowledged just in the moment they were presented to my mind. In the arguments in favor of a declaration of rights, you omit one which has great weight with me; the legal check which it puts into the hands of the judiciary. This is a body, which, if rendered independent and kept strictly to their own department, merits great confidence for their learning and integrity. In fact, what degree of confidence would be too much, for a body composed of such men as Wythe, Blair and Pendleton? On characters like these, the "*civium ardor prava jubentium*" would make no impression. I am happy to find that, on the whole, you are a friend to this amendment. The

Digitized by Google

declaration of rights is, like all other human blessings, alloyed with some inconveniences, and not accomplishing fully its object. But the good in this instance, vastly overweighs the evil. I cannot refrain from making short answers to the objections which your letter states to have been raised. 1. That the rights in question are reserved, by the manner in which the federal powers are granted. Answer. A constitutive act may, certainly, be so formed, as to need no declaration of rights. The act itself has the force of a declaration, as far as it goes; and if it goes to all material points, nothing more is wanting. In the draught of a constitution which I had once a thought of proposing in Virginia, and printed afterwards, I endeavored to reach all the great objects of public liberty, and did not mean to add a declaration of rights. Probably the object was imperfectly executed; but the deficiencies would have been supplied by others, in the course of discussion. But in a constitutive act which leaves some precious articles unnoticed, and raises implications against others, a declaration of rights becomes necessary, by way of supplement. This is the case of our new federal Constitution. This instrument forms us into one State, as to certain objects, and gives us a legislative and executive body for these objects. It should, therefore, guard us against their abuses of power, within the field submitted to them. 2. A positive declaration of some essential rights could not be obtained in

Digitized by Google

the requisite latitude. Answer. Half a loaf is better than no bread. If we cannot secure all our rights, let us secure what we can. 3. The limited powers of the federal government, and jealousy of the subordinate governments, afford a security which exists in no other instance. Answer. The first member of this seems resolvable into the first objection before stated. The jealousy of the subordinate governments is a precious reliance. But observe that those governments are only agents. They must have principles furnished them, whereon to found their opposition. The declaration of rights will be the text, whereby they will try all the acts of the federal government. In this view, it is necessary to the federal government also; as by the same text, they may try the opposition of the subordinate governments. 4. Experience proves the inefficacy of a bill of rights. True. But though it is not absolutely efficacious under all circumstances, it is of great potency always, and rarely inefficacious. A brace the more will often keep up the building which would have fallen, with that brace the less. There is a remarkable difference between the characters of the inconveniences which attend a declaration of rights, and those which attend the want of it. The inconveniences of the declaration are, that it may cramp government in its useful exertions. But the evil of this is short-lived, moderate and reparable. The inconveniences of the want of a declaration are permanent, afflicting and irreparable.

Digitized by Google

They are in constant progression from bad to worse. The executive, in our governments, is not the sole, it is scarcely the principal object of my jealousy. The tyranny of the legislatures is the most formidable dread at present, and will be for many years. That of the executive will come in its turn; but it will be at a remote period. I know there are some among us, who would now establish a monarchy. But they are inconsiderable in number and weight of character. The rising race are all republicans. We were educated in royalism; no wonder, if some of us retain that idolatry still. Our young people are educated in republicanism; an apostasy from that to royalism, is unprecedented and impossible. I am much pleased with the prospect that a declaration of rights will be added; and I hope it will be done in that way, which will not endanger the whole frame of government, or any essential part of it.

I have hitherto avoided public news in my letters to you, because your situation insured you a communication of my letters to Mr. Jay. This circumstance being changed, I shall, in future, indulge myself in these details to you. There had been some slight hopes, that an accommodation might be effected between the Turks and two empires; but these hopes do not strengthen, and the season is approaching which will put an end to them, for another campaign, at least. The accident to the King of England has had great influence on the affairs of Europe. His mediation, joined with that

Digitized by Google

of Prussia, would certainly have kept Denmark quiet, and so have left the two empires in the hands of the Turks and Swedes. But the inactivity to which England is reduced, leaves Denmark more free, and she will probably go on in opposition to Sweden. The King of Prussia, too, had advanced so far, that he can scarcely retire. This is rendered the more difficult, by the troubles he has excited in Poland. He cannot well abandon the party he had brought forward there; so that it is very possible he may be engaged in the ensuing campaign. France will be quiet this year, because this year, at least, is necessary for settling her future constitution. The States will meet the 27th of April; and the public mind will, I think, by that time, be ripe for a just decision of the question, whether they shall vote by orders or persons. I think there is a majority of the Nobles already for the latter. If so, their affairs cannot but go on well. Besides settling for themselves a tolerably free constitution, perhaps as free a one as the nation is as yet prepared to bear, they will fund their public debts. This will give them such a credit, as will enable them to borrow any money they may want, and of course, to take the field again, when they think proper. And I believe they mean to take the field, as soon as they can. The pride of every individual in the nation, suffers under the ignominies they have lately been exposed to, and I think the States General will give money for a war, to wipe off the reproach. There have arisen

Digitized by Google

new bickerings between this court and that of the Hague; and the papers which have passed, show the most bitter acrimony rankling at the heart of this ministry. They have recalled their ambassador from the Hague, without appointing a successor. They have given a note to the Diet of Poland which shows a disapprobation of their measures. The insanity of the King of England has been fortunate for them, as it gives them time to put their house in order. The English papers tell you the King is well; and even the English ministry say so. They will naturally set the best foot foremost; and they guard his person so well, that it is difficult for the public to contradict them. The King is probably better, but not well, by a great deal. 1. He has been bled, and judicious physicians say, that in his exhausted state, nothing could have induced a recurrence to bleeding, but symptoms of relapse. 2. The Prince of Wales tells the Irish deputation, he will give them a definitive answer in some days; but if the King had been well, he could have given it at once. 3. They talk of passing a standing law, for providing a regency in similar cases. They apprehend then, they are not yet clear of the danger of wanting a regency. 4. They have carried the King to church; but it was his private chapel. If he be well, why do not they show him publicly to the nation, and raise them from that consternation into which they have been thrown, by the prospect of being delivered over to the profligate hands of the

Digitized by Google

Prince of Wales. In short, judging from little facts, which are known in spite of their teeth, the King is better, but not well. Possibly he is getting well, but still, time will be wanting to satisfy even the ministry, that it is not merely a lucid interval. Consequently, they cannot interrupt France this year in the settlement of her affairs, and after this year it will be too late.

As you will be in a situation to know when the leave of absence will be granted me, which I have asked, will you be so good as to communicate it, by a line, to Mr. Lewis and Mr. Eppes? I hope to see you in the summer, and that if you are not otherwise engaged, you will encamp with me at Monticello for awhile.

I am, with great and sincere attachment, dear Sir, your affectionate friend and servant.

TO THOMAS PAINE.

PARIS, March 17, 1789.

DEAR SIR,—My last letter to you extended from December the 23d to January the 11th. A confidential opportunity now arising, I can acknowledge the receipt of yours of January the 15th, at the date of which you could not have received mine.

You knew, long ago, that the meeting of the States is to be at Versailles on the 27th of April. This country is entirely occupied in its elections, which go on quietly and well. The Duke d'Orleans is elected

Digitized by Google

for Villers Cotterels. The Prince of Condé has lost the election he aimed at; nor is it certain he can be elected anywhere. We have no news from Auvergne, whither the Marquis de La Fayette is gone. In general, all the men of influence in the country are gone into the several provinces to get their friends elected, or be elected themselves. Since my letter to you, a tumult arose in Bretagne, in which four or five lives were lost. They are now quieter, and this is the only instance of a life lost, as yet, in this revolution. The public mind is now so far ripened by time and discussion, that there seems to be but one opinion on the principal points. The question of voting by persons of orders is the most controverted; but even that seems to have gained already a majority among the Nobles. I fear more from the number of the Assembly, than from any other cause. Twelve hundred persons are difficult to keep to order, and will be so, especially, till they shall have had time to frame rules of order. Their funds continue stationary, and at the level they have stood at for some years past. We hear so little of the parliaments for some time past, that one is hardly sensible of their existence. This unimportance is probably the forerunner of their total re-modification by the nation. The article of legislation, is the only interesting one on which the court has not explicitly declared itself to the nation. The Duke d'Orleans has given instructions to his proxies in the baillages, which would be deemed bold in England, and are reason-

Digitized by Google

able beyond the reach of an Englishman, who, slumbering under a kind of half reformation in politics and religion, is not excited by anything he sees or feels, to question the remains of prejudice. The writers of this country, now taking the field freely and unrestrained, or rather involved by prejudice, will rouse us all from the errors in which we have been hitherto rocked.

We had, at one time, some hope that an accommodation would have been effected between the Turks and two empires. Probably the taking Oczakow, while it has attached the Empress more to the Crimea, is not important enough to the Turks, to make them consent to peace. These hopes are vanishing. Nor does there seem any prospect of peace between Russia and Sweden. The palsied condition of England leaves it probable that Denmark will pursue its hostilities against Sweden. It does not seem certain whether the King of Prussia has advanced so far in that mediation, and in the troubles he has excited in Poland, as to be obliged to become a party. Nor will his becoming a party draw in this country, the present year, if England remains quiet. Papers which lately passed between this court and the government of Holland, prove that this nourishes its discontent and only waits to put its house in order, before it interposes. They have recalled their ambassador from the Hague, without naming a successor. The King of Sweden, not thinking that Russia and Denmark are enough for him, has arrested

Digitized by Google

a number of his Nobles, of principal rank and influence. It is a bold measure, at least, and he is too boyish a character to authorize us to presume it a wise one, merely because he has adopted it. His army was before disgusted. He now puts the Nobles and all their dependents on the same side, and they are sure of armed support, by Russia on the north, and Denmark on the south. He can have no salvation but in the King of Prussia.

I have received two letters from Ledyard, the one dated Alexandria, August the 15th, the other Grand Cairo, September the 10th; and one lately from Admiral Paul Jones, dated St. Petersburg, January the 31st. He was just arrived there, on the call of the Empress, and was uncertain where he should be employed the next campaign. Mr. Littlepage has returned from the Black Sea to Warsaw, where he has been perfectly received by the King. I saw this from under the King's own hand, and was pleased with the parental expressions towards him.

We have no news from America later than the middle of January. My letters inform me that even the friends of the new Constitution have come over to the expediency of adding a declaration of rights. There is reason to hope that this will be proposed by Congress to the several legislatures, and that the plan of New York for calling a new convention, will be rejected. Hitherto no State had acceded to it but Virginia, in which Henry and anti-federalism had got full possession of their legislature. But the people

Digitized by Google

are better disposed. My departure for America is likely to be retarded, by the want of a Congress to give me permission. I must obtain it from the new government. I am anxious to know how much we ought to believe of the recovery of the King of England. By putting little facts together, I see that he is not well. Mr. Rumsey (who came in while I was writing the preceding page) tells me you have a long letter ready for me. I shall be happy to receive it.

I am, with great and sincere attachment, dear Sir, your affectionate friend and servant.

TO COLONEL HUMPHREYS.

PARIS, March 18, 1789.

DEAR SIR,—Your favor of November the 29th, 1788, came to hand the last month. How it happened that mine of August, 1787, was fourteen months on its way, is inconceivable. I do not recollect by what conveyance I sent it. I had concluded, however, either that it had miscarried, or that you had become indolent, as most of our countrymen are, in matters of correspondence.

The change in this country since you left it, is such as you can form no idea of. The frivolities of conversation have given way entirely to politics. Men, women and children talk nothing else; and all, you know, talk a great deal. The press groans with daily productions, which, in point of boldness, makes an Englishman stare, who hitherto has thought himself

Digitized by Google

the boldest of men. A complete revolution in this government has, within the space of two years, (for it began with the Notables of 1787,) been effected merely by the force of public opinion, aided, indeed, by the want of money, which the dissipations of the court had brought on. And this revolution has not cost a single life, unless we charge to it a little riot lately in Bretagne, which began about the price of bread, became afterwards political, and ended in the loss of four or five lives. The assembly of the States General begins the 27th of April. The representation of the people will be perfect. But they will be alloyed by an equal number of nobility and clergy. The first great question they will have to decide will be, whether they shall vote by orders or persons. And I have hopes that the majority of the Nobles are already disposed to join the Tiers État, in deciding that the vote shall be by persons. This is the opinion *a la mode* at present, and mode has acted a wonderful part in the present instance. All the handsome young women, for example, are for the Tiers État, and this is an army more powerful in France, than the two hundred thousand men of the King. Add to this, that the court itself is for the Tiers État, as the only agent which can relieve their wants; not by giving money themselves, (they are squeezed to the last drop,) but by pressing it from the non-contributing orders. The King stands engaged to pretend no more to the power of laying, continuing or appropriating taxes; to call the States General peri-

Digitized by Google

odically; to submit *lettres de cachet* to legal restrictions; to consent to freedom of the press; and that all this shall be fixed by a fundamental constitution, which shall bind his successors. He has not offered a participation in the legislature, but it will surely be insisted on. The public mind is so ripened on all these subjects, that there seems to be now but one opinion. The clergy, indeed, think separately, and the old men among the Nobles; but their voice is suppressed by the general one of the nation. The writings published on this occasion are, some of them, very valuable; because, unfettered by the prejudices under which the English labor, they give a full scope to reason, and strike out truths, as yet unperceived and unacknowledged on the other side the channel. An Englishman, dosing under a kind of half reformation, is not excited to think by such gross absurdities as stare a Frenchman in the face, wherever he looks, whether it be towards the throne or the altar. In fine, I believe this nation will, in the course of the present year, have as full a portion of liberty dealt out to them, as the nation can bear at present, considering how uninformed the mass of their people is. This circumstance will prevent the immediate establishment of the trial by jury. The palsied state of the executive in England is a fortunate circumstance for France, as it will give her time to arrange her affairs internally. The consolidation and funding their debts, will give government a credit which will enable them to do what they please. For the pres-

Digitized by Google

ent year, the war will be confined to the two empires and Denmark, against Turkey and Sweden. It is not yet evident whether Prussia will be engaged. If the disturbances of Poland break out into overt acts, it will be a power divided in itself, and so of no weight. Perhaps, by the next year, England and France may be ready to take the field. It will depend on the former principally; for the latter, though she may be then able, must wish a little time to see her new arrangements well under way. The English papers and English ministry say the King is well. He is better but not well; no malady requires a longer time to insure against its return, than insanity. Time alone can distinguish accidental insanity from habitual lunacy.

The operations which have taken place in America lately, fill me with pleasure. In the first place, they realize the confidence I had, that whenever our affairs go obviously wrong, the good sense of the people will interpose, and set them to rights. The example of changing a constitution, by assembling the wise men of the State, instead of assembling armies, will be worth as much to the world as the former examples we had given them. The Constitution, too, which was the result of our deliberations, is unquestionably the wisest ever yet presented to men, and some of the accommodations of interest which it has adopted, are greatly pleasing to me, who have before had occasions of seeing how difficult those interests were to accommodate. A general concurrence of opinion

Digitized by Google

seems to authorize us to say, it has some defects. I am one of those who think it a defect, that the important rights, not placed in security by the frame of the Constitution itself, were not explicitly secured by a supplementary declaration. There are rights which it is useless to surrender to the government, and which governments have yet always been found to invade. These are the rights of thinking, and publishing our thoughts by speaking or writing; the right of free commerce; the right of personal freedom. There are instruments for administering the government, so peculiarly trust-worthy, that we should never leave the legislature at liberty to change them. The new Constitution has secured these in the executive and legislative department; but not in the judiciary. It should have established trials by the people themselves, that is to say, by jury. There are instruments so dangerous to the rights of the nation, and which place them so totally at the mercy of their governors, that those governors, whether legislative or executive, should be restrained from keeping such instruments on foot, but in well-defined cases. Such an instrument is a standing army. We are now allowed to say, such a declaration of rights, as a supplement to the Constitution where that is silent, is wanting, to secure us in these points. The general voice has legitimated this objection. It has not, however, authorized me to consider as a real defect, what I thought and still think one, the perpetual re-eligibility of the Presi-

Digitized by Google

dent. But three States out of eleven, having declared against this, we must suppose we are wrong, according to the fundamental law of every society, the *lex majoris partis*, to which we are bound to submit. And should the majority change their opinion, and become sensible that this trait in their Constitution is wrong, I would wish it to remain uncorrected, as long as we can avail ourselves of the services of our great leader, whose talents and whose weight of character, I consider as peculiarly necessary to get the government so under way, as that it may afterwards be carried on by subordinate characters.

I must give you sincere thanks, for the details of small news contained in your letter. You know how precious that kind of information is to a person absent from his country, and how difficult it is to be procured. I hope to receive soon permission to visit America this summer, and to possess myself anew, by conversation with my countrymen, of their spirit and their ideas. I know only the Americans of the year 1784. They tell me this is to be much a stranger to those of 1789. This renewal of acquaintance is no indifferent matter to one, acting at such a distance, as that instructions cannot be received hot and hot. One of my pleasures, too, will be that of talking over the old and new with you. In the meantime, and at all times, I have the honor to be, with great and sincere esteem, dear Sir, your friend and servant.

Digitized by Google

TO DOCTOR WILLARD.

PARIS, March 24, 1789.

SIR,—I have been lately honored with your letter of September the 24th, 1788, accompanied by a diploma for a Doctorate of Laws, which the University of Harvard has been pleased to confer on me. Conscious how little I merit it, I am the more sensible of their goodness and indulgence to a stranger, who has had no means of serving or making himself known to them. I beg you to return them my grateful thanks, and to assure them that this notice from so eminent a seat of science, is very precious to me.

The most remarkable publications we have had in France, for a year or two past, are the following: "Les Voyages d'Anacharsis par l'Abbé Barthelemi," seven volumes, octavo. This is a very elegant digest of whatever is known of the Greeks; useless, indeed, to him who has read the original authors, but very proper for one who reads modern languages only. The works of the King of Prussia. The Berlin edition is in sixteen volumes, octavo. It is said to have been gutted at Berlin; and here it has been still more mangled. There are one or two other editions published abroad, which pretend to have rectified the maltreatment both of Berlin and Paris. Some time will be necessary to settle the public mind, as to the best edition.

Montignot has given us the original Greek, and a French translation of the seventh book of Ptolemy's

Digitized by Google

great work, under the title of "Etat des Etoiles fixes au second Siecle," in quarto. He has given the designation of the same stars by Flamstead and Beyer, and their position in the year 1786. A very remarkable work is the "Mechanique Analytique," of Le Grange, in quarto. He is allowed to be the greatest mathematician now living, and his personal worth is equal to his science. The object of his work is to reduce all the principles of mechanics to the single one of the equilibrium, and to give a simple formula applicable to them all. The subject is treated in the algebraic method, without diagrams to assist the conception. My present occupations not permitting me to read anything which requires a long and undisturbed attention, I am not able to give you the character of this work from my own examination. It has been received with great approbation in Europe. In Italy, the works of Spallanzani on Digestion and Generation, are valuable. Though, perhaps, too minute, and therefore tedious, he has developed some useful truths, and his book is well worth attention; it is in four volumes, octavo. Clavigaro, an Italian also, who has resided thirty-six years in Mexico, has given us a history of that country, which certainly merits more respect than any other work on the same subject. He corrects many errors of Dr. Robertson; and though sound philosophy will disapprove many of his ideas, we may still consider it as an useful work, and assuredly the best we possess on the same subject. It is in four thin

Digitized by Google

volumes, small quarto. De La Lande has not yet published a fifth volume.

The chemical dispute about the conversion and reconversion of air and water, continues still undecided. Arguments and authorities are so balanced, that we may still safely believe, as our fathers did before us, that these principles are distinct. A schism of another kind, has taken place among the chemists. A particular set of them here, have undertaken to remodel all the terms of the science, and to give to every substance a new name, the composition, and especially the termination of which, shall define the relation in which it stands to other substances of the same family. But the science seems too much in its infancy as yet, for this reformation; because, in fact, the reformation of this year must be reformed again the next year, and so on, changing the names of substances as often as new experiments develop properties in them undiscovered before. The new nomenclature has, accordingly, been already proved to need numerous and important reformations. Probably it will not prevail. It is espoused by the minority only here, and by very few, indeed, of the foreign chemists. It is particularly rejected in England.

In the arts, I think two of our countrymen have presented the most important inventions. Mr. Paine, the author of "Common Sense," has invented an iron bridge, which promises to be cheaper by a great deal than stone, and to admit of a much greater

Digitized by Google

arch. He supposes it may be ventured for an arch of five hundred feet. He has obtained a patent for it in England, and is now executing the first experiment with an arch of between ninety and one hundred feet. Mr. Rumsey has also obtained a patent for his navigation by the force of steam, in England, and is soliciting a similar one here. His principal merit is in the improvement of the boiler, and, instead of the complicated machinery of oars and paddles, proposed by others, the substitution of so simple a thing as the reaction of a stream of water on his vessel. He is building a sea vessel at this time in England, and she will be ready for an experiment in May. He has suggested a great number of mechanical improvements in a variety of branches; and upon the whole, is the most original and the greatest mechanical genius I have ever seen. The return of La Peyrouse (whenever that shall happen) will probably add to our knowledge in Geography, Botany, and Natural History. What a field have we at our doors to signalize ourselves in! The Botany of America is far from being exhausted, its Mineralogy is untouched, and its Natural History or Zoology, totally mistaken and misrepresented. As far as I have seen, there is not one single species of terrestrial birds common to Europe and America, and I question if there be a single species of quadrupeds. (Domestic animals are to be excepted.) It is for such institutions as that over which you preside so worthily, Sir, to do justice to our country, its

Digitized by Google

productions and its genius. It is the work to which the young men, whom you are forming, should lay their hands. We have spent the prime of our lives in procuring them the precious blessing of liberty. Let them spend theirs in showing that it is the great parent of *science* and of virtue; and that a nation will be great in both, always in proportion as it is free. Nobody wishes more warmly for the success of your good exhortations on this subject, than he who has the honor to be, with sentiments of great esteem and respect, Sir, your most obedient humble servant.

TO J. SARSFIELD.

PARIS, April 3, 1789.

SIR,—I could not name to you the day of my departure from Paris, because I do not know it. I have not yet received my congé, though I hope to receive it soon, and to leave this some time in May, so that I may be back before the winter.

Impost is a duty paid on any imported article, in the *moment of its importation*, and, of course, it is collected in the seaports only. *Excise* is a duty on any article, whether imported or raised at home, and paid in the *hands of the consumer or retailer;* consequently, it is collected through the whole country. These are the true definitions of these words as used in England, and in the greater part of the United States. But in Massachusetts, they have perverted the word

Digitized by Google

excise to mean a tax on all liquors, whether paid in the moment of importation or at a later moment, and on nothing else. So that in reading the debates of the Massachusetts convention, you must give this last meaning to the word excise.

Rotation is the change of officers required by the laws at certain epochs, and *in a certain order:* thus, in Virginia, our justices of the peace are made sheriffs one after the other, each remaining in office two years, and then yielding it to his next brother in order of seniority. This is the just and classical meaning of the word. But in America, we have extended it (for want of a proper word) to all cases of officers who must be necessarily changed at a fixed epoch, though the successor be not pointed out in any particular order, but comes in by free election. By the term *rotation in office*, then we mean *an obligation on the holder of that office to go out at a certain period.* In our first Confederation, the principle of rotation was established in the office of President of Congress, who could serve but one year in three, and in that of a member of Congress, who could serve but three years in six.

I believe all the countries in Europe determine their standard of money in gold as well as silver. Thus, the laws of England direct that a pound Troy of gold, of twenty-two carats fine, shall be cut into forty-four and a half guineas, each of which shall be worth twenty-one and a half shillings, that is, into 956¾ shillings. This establishes the shilling at

Digitized by Google

5.518 grains of *pure* gold. They direct that a pound of silver, consisting of $11\frac{1}{10}$ ounces of pure silver and $\frac{1}{10}$ of an ounce alloy, shall be cut into sixty-two shillings. This establishes the shilling at 85.93 grains of pure silver, and, consequently, the proportion of gold to silver as 85.93 to 5.518, or as 15.57 to 1. If this be the true proportion between the value of gold and silver at the general market of Europe, then the value of the shilling, depending on two standards, is the same, whether a payment be made in gold or in silver. But if the proportion of the general market at Europe be as fifteen to one, then the Englishman who owes a pound weight of gold at Amsterdam, if he sends the pound of gold to pay it, sends 1043.72 shillings; if he sends fifteen pounds of silver, he sends only 1030.5 shillings; if he pays half in gold and half in silver, he pays only 1037.11 shillings. And this medium between the two standards of gold and silver, we must consider as furnishing the true medium value of the shilling. If the parliament should now order the pound of gold (of one-twelfth alloy as before) to be put into a thousand shillings instead of nine hundred and fifty-six and three-fourths, leaving the silver as it is, the medium or true value of the shilling would suffer a change of half the difference; and in the case before stated, to pay a debt of a pound weight of gold, at Amsterdam, if he sent the pound weight of gold, he would send 1090.9 shillings; if he sent fifteen pounds of silver, he would send 1030.5 shillings; if half in gold and half

Digitized by Google

in silver, he would send 1060.7 shillings; which shows that this parliamentary operation would reduce the value of the shilling in the proportion of 1060.7 to 1037.11.

Now this is exactly the effect of the late change in the quantity of gold contained in your louis. Your *marc d'argent fin* is cut into 53.45 livres (fifty-three livres and nine sous), the *marc de l'or fin* was cut, heretofore, by law, into 784.6 livres (seven hundred and eighty-four livres and twelve sous); gold was to silver then as 14.63 to 1. And if this was different from the proportion at the markets of Europe, the true value of your livre stood half way between the two standards. By the ordinance of October the 30th, 1785, the *marc* of pure gold has been cut into 828.6 livres. If your standard had been in gold alone, this would have reduced the value of your livre in the proportion of 828.6 to 784.6. But as you had a standard of silver as well as gold, the true standard is the medium between the two; consequently the value of the livre is reduced only one-half the difference, that is, as 806.6 to 784.6, which is very nearly three per cent. Commerce, however, has made a difference of four per cent., the average value of the pound sterling, formerly twenty-four livres, being now twenty-five livres. Perhaps some other circumstance has occasioned an addition of one per cent. to the change of your standard.

I fear I have tired you by these details. I did not mean to be so lengthy when I began. I beg you to

Digitized by Google

consider them as an appeal to your judgment, which I value, and from which I will expect a correction, if they are wrong.

I have the honor to be, with very great esteem and attachment, dear Sir, your most obedient, and most humble servant.

TO THE MARQUIS DE LA FAYETTE.

PARIS, May 6, 1789.

MY DEAR FRIEND,—As it becomes more and more possible that the Noblesse will go wrong, I become uneasy for you. Your principles are decidedly with the Tiers État, and your instructions against them. A complaisance to the latter on some occasions, and an adherence to the former on others, may give an appearance of trimming between the two parties, which may lose you both. You will, in the end, go over wholly to the Tiers État, because it will be impossible for you to live in a constant sacrifice of your own sentiments to the prejudices of the Noblesse. But you would be received by the Tiers État at any future day, coldly, and without confidence. This appears to me the moment to take at once that honest and manly stand with them which your own principles dictate. This will win their hearts forever, be approved by the world, which marks and honors you as the man of the people, and will be an eternal consolation to yourself. The Noblesse, and especially the Noblesse of Auvergne, will always pre-

Digitized by Google

fer men who will do their dirty work for them. You are not made for that. They will, therefore, soon drop you, and the people, in that case, will perhaps not take you up. Suppose a scission should take place. The Priests and Nobles will secede, the nation will remain in place, and, with the King, will do its own business. If violence should be attempted, where will you be? You cannot then take side with the people in opposition to your own vote, that very vote which will have helped to produce the scission. Still less can you array yourself against the people. That is impossible. Your instructions are, indeed, a difficulty. But to state this at its worst it is only a single difficulty, which a single effort surmounts. Your instructions can never embarrass you a second time, whereas an acquiescence under them will reproduce greater difficulties every day, and without end. Besides, a thousand circumstances offer as many justifications of your departure from your instructions. Will it be impossible to persuade all parties that (as for good legislation two Houses are necessary) the placing the privileged classes together in one House, and the unprivileged in another, would be better for both than a scission? I own, I think it would. People can never agree without some sacrifices; and it appears but a moderate sacrifice in each party, to meet on this middle ground. The attempt to bring this about might satisfy your instructions, and a failure in it would justify your siding with the people, even to those who think

Digitized by Google

instructions are laws of conduct. Forgive me, my dear friend, if my anxiety for you makes me talk of things I know nothing about. You must not consider this as advice. I know you and myself too well to presume to offer advice. Receive it merely as the expression of my uneasiness, and the effusion of that sincere friendship with which I am, my dear Sir, yours affectionately.

TO WILLIAM CARMICHAEL.

PARIS, May 8, 1789.

DEAR SIR,—Your favor of January the 26th, to March the 27th, is duly received, and I thank you for the interesting papers it contained. The answer of Don Ulloa, however, on the subject of the canal through the American isthmus, was not among them, though mentioned to be so. If you have omitted it through accident, I shall thank you for it at some future occasion, as I wish much to understand that subject thoroughly. Our American information comes down to the 16th of March. There had not yet been members enough assembled of the new Congress to open the tickets. They expected to do it in a day or two. In the meantime, it was said from all the States, that their vote had been unanimous for General Washington, and a good majority in favor of Mr. Adams, who is certainly, therefore, Vice-President. The new government would be supported by very cordial and very general dispositions in its

Digitized by Google

favor from the people. I have not yet seen a list of the new Congress. This delay in the meeting of the new government, has delayed the determination on my petition for leave of absence. However, I expect to receive it every day, and am in readiness to sail the instant I receive it, so that this is probably the last letter I shall write you hence till my return. While there, I shall avail Government of the useful information I have received from you, and shall not fail to profit of any good occasion which may occur, to show the difference between your real situation and what it ought to be. I consider Paris and Madrid as the only two points at which Europe and America should touch closely and that a connection at these points should be fostered.

We have had, in this city, a very considerable riot, in which about one hundred people have been probably killed. It was the most unprovoked, and is, therefore, justly, the most unpitied catastrophe of that kind I ever knew. Nor did the wretches know what they wanted, except to do mischief. It seems to have had no particular connection with the great national question now in agitation. The want of bread is very seriously dreaded through the whole kingdom. Between twenty and thirty ship loads of wheat and flour has already arrived from the United States, and there will be about the same quantity of rice sent from Charleston to this country directly, of which about half has arrived. I presume that between wheat and rice, one hundred ship loads may

Digitized by Google

be counted on in the whole from us. Paris consumes about a ship load a day (say two hundred and fifty tons). The total supply of the West Indies for this year, rests with us, and there is almost a famine in Canada and Nova Scotia. The States General were opened the day before yesterday. Viewing it as an opera, it was imposing; as a scene of business, the King's speech was exactly what it should have been, and very well delivered; not a word of the Chancellor's was heard by anybody, so that, as yet, I have never heard a single guess at what it was about. Mr. Neckar's was as good as such a number of details would permit it to be. The picture of their resources was consoling, and generally plausible. I could have wished him to have dwelt more on those great constitutional reformations, which his "Rapport au roy" had prepared us to expect. But they observe, that these points were proper for the speech of the Chancellor. We are in hopes, therefore, they were in that speech, which, like the Revelations of St. John, were no revelations at all. The Noblesse, on coming together, show that they are not as much reformed in their principles as we had hoped they would be. In fact, there is real danger of their totally refusing to vote by persons. Some found hopes on the lower clergy, which constitute four-fifths of the deputies of that order. If they do not turn the balance in favor of the Tiers État, there is real danger of a scission. But I shall not consider even that event as rendering things desperate. If the King will do business with

Digitized by Google

the Tiers Etat, which constitutes the nation, it may be well done without Priests or Nobles. From the best information I can obtain, the King of England's madness has terminated in an imbecility, which may very possibly be of long continuance. He is going with his Queen to Germany. England chained to rest, the other parts of Europe may recover or retain tranquillity.

I have the honor to be, with great and sincere esteem, dear Sir, your most obedient, and most humble servant.

TO MR. LITTLEPAGE.

PARIS, May 8, 1789.

DEAR SIR,—Your favor of February 12th has been duly received, and in exchange for its information, I shall give you that which you desire relative to American affairs. Those of Europe you can learn from other sources. All our States acceded unconditionally to the new Constitution, except North Carolina and Rhode Island. The latter rejects it in toto. North Carolina neither rejected nor received it, but asked certain amendments before it should receive it. Her amendments concur with those asked by Virginia, New York and Massachusetts, and consist chiefly in a declaration of rights. Even the warmest friends to the new form begin to be sensible it wants the security, and it is pretty generally agreed that a declaration of rights shall be added. New

Digitized by Google

York and Virginia, though they have acceded to this government, are less contented with it than the others. In New York, it is the effect of the intrigues and influence of Governor Clinton, who it is hoped will be exchanged for a Judge Yates. In Virginia, it is perhaps the apprehension that the new government will oblige them to pay their debts. Our letters are as late as the 16th of March. There were not yet members enough of the new Congress assembled to open the tickets. It was expected there would be in two or three days. Information, however, from all the States, gave reason to be satisfied that General Washington was elected unanimously, and Mr. John Adams by a sufficient plurality to ensure his being the Vice-President. The elections to Congress had been almost entirely in favor of persons well-disposed to the new government, which proves the mass of the people in its favor. In general, there are the most favorable dispositions to support it, and those heretofore disheartened, now write in great confidence of our affairs. That spirit of luxury which sprang up at the peace, has given place to a laudable economy. Home manufactures are encouraged, and the balance last year was greatly on the side of exportation. The settlement of the Western country has gone on with astonishing rapidity. A late unaccountable event may slacken by scattering it. Spain has granted the exclusive navigation of the Mississippi, with a large tract of country on the western side of the river, to Colonel Morgan of New Jersey, to whom great num-

Digitized by Google

bers of settlers are flocking over from Kentucky. While this measure weakens somewhat the United States for the present, it begins our possession of that country considerably sooner than I had expected, and without a struggle till no struggle can be made. Great crops of corn last year in the United States, and a great demand for it in British and French America, and in Europe. Remarkable deaths are, General Nelson, and John Bannisters, father and son. I expect every day to receive a leave of absence for six months, and shall sail within a week after receiving it. I hope to be back before winter sets in. I have the honor to be, with very great esteem, dear Sir, your most obedient humble servant.

TO JOHN JAY.

PARIS, May 9, 1789.

SIR,—Since my letter of March the 1st, by the way of Havre, and those of March the 12th and 15th, by the way of London, no opportunity of writing has occurred, till the present to London.

There are no symptoms of accommodation between the Turks and two empires, nor between Russia and Sweden. The Emperor was, on the 16th of the last month, expected to die, certainly; he was, however, a little better when the last news came away, so that hopes were entertained of him; but it is agreed that he cannot get the better of his complaints ultimately, so that his life is not at all counted on. The Danes

Digitized by Google

profess, as yet, to do no more against Sweden than furnish their stipulated aid. The agitation of Poland is still violent, though somewhat moderated by the late change in the demeanor of the King of Prussia. He is much less thrasonic than he was. This is imputed to the turn which the English politics may be rationally expected to take. It is very difficult to get at the true state of the British King; but from the best information we can get, his madness has gone off, but he is left in a state of imbecility and melancholy. They are going to carry him to Hanover, to see whether such a journey may relieve him. The Queen accompanies him. If England should, by this accident, be reduced to inactivity, the southern countries of Europe may escape the present war. Upon the whole, the prospect for the present year, if no unforeseen accident happens, is, certain peace for the powers not already engaged, a probability that Denmark will not become a principal, and a mere possibility that Sweden and Russia may be accommodated. The interior disputes of Sweden are so exactly detailed in the Leyden gazette, that I have nothing to add on that subject.

The revolution of this country has advanced thus far, without encountering anything which deserves to be called a difficulty. There have been riots in a few instances, in three or four different places, in which there may have been a dozen or twenty lives lost. The exact truth is not to be got at. A few days ago, a much more serious riot took place in this

Digitized by Google

city, in which it became necessary for the troops to engage in regular action with the mob, and probably about one hundred of the latter were killed. Accounts vary from twenty to two hundred. They were the most abandoned banditti of Paris, and never was a riot more unprovoked and unpitied. They began, under a pretence that a paper manufacturer had proposed in an assembly to reduce their wages to fifteen sous a day. They rifled his house, destroyed everything in his magazines and shops, and were only stopped in their career of mischief by the carnage above mentioned. Neither this nor any other of the riots, have had a professed connection with the great national reformation going on. They are such as have happened every year since I have been here, and as will continue to be produced by common incidents. The States General were opened on the 4th instant, by a speech from the throne, one by the Garde des Sceaux, and one from Mr. Neckar. I hope they will be printed in time to send you herewith: lest they should not, I will observe, that that of Mr. Neckar stated the real and ordinary deficit to be fifty-six millions, and that he showed that this could be made up without a new tax, by economies and bonifications which he specified. Several articles of the latter are liable to the objection, that they are proposed on branches of the revenue, of which the nation has demanded a suppression. He tripped too lightly over the great articles of constitutional reformation, these being not as clearly enounced in this discourse

Digitized by Google

as they were in his "Rapport au roy," which I sent you some time ago. On the whole, his discourse has not satisfied the patriotic party. It is now, for the first time, that their revolution is likely to receive a serious check, and begins to wear a fearful appearance. The progress of light and liberality in the order of the Noblesse, has equalled expectation in Paris only and its vicinities. The great mass of deputies of that order, which come from the country, show that the habits of tyranny over the people are deeply rooted in them. They will consent, indeed, to equal taxation; but five-sixths of that chamber are thought to be, decidedly, for voting by orders; so that, had this great preliminary question rested on this body, which formed heretofore the sole hope, that hope would have been completely disappointed. Some aid, however, comes in from a quarter whence none was expected. It was imagined the ecclesiastical elections would have been generally in favor of the higher clergy; on the contrary, the lower clergy have obtained five-sixths of these deputations. These are the sons of peasants, who have done all the drudgery of the service for ten, twenty and thirty guineas a year, and whose oppressions and penury, contrasted with the pride and luxury of the higher clergy, have rendered them perfectly disposed to humble the latter. They have done it, in many instances, with a boldness they were thought insusceptible of. Great hopes have been formed, that these would concur with the Tiers État in voting by

Digitized by Google

persons. In fact, about half of them seem as yet so disposed; but the bishops are intriguing, and drawing them over with the address which has ever marked ecclesiastical intrigue. The deputies of the Tiers État seem, almost to a man, inflexibly determined against the vote by orders. This is the state of parties, as well as can be judged from conversation only, during the fortnight they have been now together. But as no business has been yet begun, no votes as yet taken, this calculation cannot be considered as sure. A middle proposition is talked of, to form the two privileged orders into one chamber. It is thought more possible to bring them into it than the Tiers État. Another proposition is, to distinguish questions, referring those of certain descriptions to a vote by persons, others to a vote by orders. This seems to admit of endless altercation, and the Tiers État manifest no respect for that, or any other modification whatever. Were this single question accommodated, I am of opinion, there would not occur the least difficulty in the great and essential points of constitutional reformation. But on this preliminary question the parties are so irreconcilable, that it is impossible to foresee what issue it will have. The Tiers État, as constituting the nation, may propose to do the business of the nation, either with or without the minorities in the Houses of Clergy and Nobles which side with them. In that case, if the King should agree to it, the majorities in those two Houses would secede, and might resist the

Digitized by Google

tax gatherers. This would bring on a civil war. On the other hand, the privileged orders, offering to submit to equal taxation, may propose to the King to continue the government in its former train, resuming to himself the power of taxation. Here, the tax gatherers might be resisted by the people. In fine, it is but too possible, that between parties so animated, the King may incline the balance as he pleases. Happy that he is an honest, unambitious man, who desires neither money nor power for himself; and that his most operative minister, though he has appeared to trim a little, is still, in the main, a friend to public liberty.

I mentioned to you in a former letter, the construction which our bankers at Amsterdam had put on the resolution of Congress, appropriating the last Dutch loan, by which the money for our captives would not be furnished till the end of the year 1790. Orders from the board of treasury have now settled this question. The interest of the next month is to be first paid, and after that, the money for the captives and foreign officers is to be furnished, before any other payment of interest. This insures it when the next February interest becomes payable. My representations to them, on account of the contracts I had entered into for making the medals, have produced from them the money of that object, which is lodged in the hands of Mr. Grand.

Mr. Neckar, in his discourse, proposes among his bonifications of revenue, the suppressions of our two

Digitized by Google

free ports of Bayonne and L'Orient, which, he says, occasion a loss of six hundred thousand livres annually, to the crown, by contraband. (The speech being not yet printed, I state this only as it struck my ear when he delivered it. If I have mistaken it, I beg you to receive this as my apology, and to consider what follows as written on that idea only.) I have never been able to see that these free ports were worth one copper to us. To Bayonne our trade never went, and it is leaving L'Orient. Besides, the right of entrepôt is a perfect substitute for the right of free port. The latter is a little less troublesome only, to the merchants and captains. I should think, therefore, that a thing so useless to us and prejudicial to them might be relinquished by us, on the common principles of friendship. I know the merchants of these ports will make a clamor, because the franchise covers their contraband with all the world. Has Monsieur de Moustier said anything to you on this subject? It has never been mentioned to me. If not mentioned in either way, it is rather an indecent proceeding, considering that this right of free port is founded in treaty. I shall ask of M. de Montmorin, on the first occasion, whether he has communicated this to you through his ministry; and if he has not, I will endeavor to notice the infraction to him in such a manner, as neither to reclaim nor abandon the right of free port, but leave our government free to do either.

The gazettes of France and Leyden, as usual, will

Digitized by Google

accompany this. I am in hourly expectation of receiving from you my leave of absence, and keep my affairs so arranged, that I can leave Paris within eight days after receiving the permission. I have the honor to be, with sentiments of the most perfect esteem and respect, Sir, your most obedient, and most humble servant.

TO GENERAL WASHINGTON.

PARIS, May 10, 1789.

SIR,—I am now to acknowledge the honor of your two letters of Nov. the 27th and Feb. the 13th, both of which have come to hand since my last to you of Dec. the 4th and 5th. The details you are so good as to give me on the subject of the navigation of the waters of the Potomac and Ohio, are very pleasing to me, as I consider the union of these two rivers, as among the strongest links of connection between the eastern and western sides of our confederacy. It will, moreover, add to the commerce of Virginia, in particular, all the upper parts of the Ohio and its waters. Another vast object, and of much less difficulty, is to add, also, all the country on the lakes and their waters. This would enlarge our field immensely, and would certainly be effected by a union of the upper waters of the Ohio and Lake Erie. The Big Beaver and Cuyahoga offer the most direct line, and according to information I received from General Hand, and which I had the honor of writing

Digitized by Google

you in the year 1783, the streams in that neighborhood head in lagoons, and the country is flat. With respect to the doubts which you say are entertained by some, whether the upper waters of Potomac can be rendered capable of navigation on account of the falls and rugged banks, they are answered, by observing, that it is reduced to a maxim, that whenever there is water enough to float a batteau, there may be navigation for a batteau. Canals and locks may be necessary, and they are expensive; but I hardly know what expense would be too great, for the object in question. Probably, negotiations with the Indians, perhaps even settlement, must precede the execution of the Cuyahoga canal. The States of Maryland and Virginia should make a common object of it. The navigation, again, between Elizabeth River and the Sound, is of vast importance, and in my opinion, it is much better that these should be done at public than private expense.

Though we have not heard of the actual opening of the new Congress, and consequently, have not official information of your election as President of the United States, yet, as there never could be a doubt entertained of it, permit me to express here my felicitations, not to yourself, but to my country. Nobody who has tried both public and private life, can doubt but that you were much happier on the banks of the Potomac than you will be at New York. But there was nobody so well qualified as yourself, to put our new machine into a regular course of

Digitized by Google

action; nobody, the authority of whose name could have so effectually crushed opposition at home, and produced respect abroad. I am sensible of the immensity of the sacrifice on your part. Your measure of fame was full to the brim; and, therefore, you have nothing to gain. But there are cases wherein it is a duty to risk all against nothing, and I believe this was exactly the case. We may presume, too, according to every rule of probability, that after doing a great deal of good, you will be found to have lost nothing but private repose.

In a letter to Mr. Jay, of the 19th of Nov., I asked a leave of absence to carry my children back to their own country, and to settle various matters of a private nature, which were left unsettled, because I had no idea of being absent so long. I expected that letter would have been received in time to be decided on by the Government then existing. I know now that it would arrive when there was no Congress, and consequently, that it must have awaited your arrival at New York. I hope you found the request not an unreasonable one. I am excessively anxious to receive the permission without delay, that I may be able to get back before the winter sets in. Nothing can be so dreadful to me, as to be shivering at sea for two or three months in a winter passage. Besides, there has never been a moment at which the presence of a minister here could be so well dispensed with, from certainty of no war this summer, and that the government will be so totally absorbed in domestic

Digitized by Google

arrangements, as to attend to nothing exterior. Mr. Jay will, of course, communicate to you some ciphered letters lately written, and one of this date. My public letter to him contains all the interesting public details. I enclose with the present, some extracts of a letter from Mr. Paine, which he desired me to communicate; your knowledge of the writer will justify my giving you the trouble of these communications, which their interesting nature and his respectability, will jointly recommend to notice. I am in great pain for the Marquis de La Fayette. His principles, you know, are clearly with the people; but having been elected for the Noblesse of Auvergne, they have laid him under express instructions, to vote for the decision by orders and not persons. This would ruin him with the Tiers État, and it is not possible he could continue long to give satisfaction to the Noblesse. I have not hesitated to press on him to burn his instructions, and follow his conscience as the only sure clue, which will eternally guide a man clear of all doubts and inconsistencies. If he cannot effect a conciliatory plan, he will surely take his stand manfully at once, with the Tiers État. He will in that case be what he pleases with them, and I am in hopes that base is now too solid to render it dangerous to be mounted on it. In hopes of being able in the course of the summer, to pay my respects to you personally, in New York, I have the honor to be, with sentiments of the most perfect respect and attachment, Sir, your most obedient, and most humble servant.

Digitized by Google

[*Extract of the letter from Thomas Paine, referred to in the preceding, to General Washington.*]

"London, March the 12th, 1789. I do not think it is worth while for Congress to appoint any minister at this court. The greater distance Congress observes on this point, the better. It will be all money thrown away, to go to any expense about it, at least during the present reign. I know the nation well, and the line of acquaintance I am in, enables me to judge better on this matter than any other American can judge, especially at a distance. I believe I am not so much in the good graces of the Marquis of Lansdowne as I used to be. I do not answer his purpose. He was always talking of a sort of re-connection of England and America, and my coldness and reserve on this subject checked communication. I believe he would be a good minister for England, with respect to a better agreement with France."

(Same letter continued) "April 10. The acts for regulating the trade with America are to be continued as last year. A paper from the Privy Council respecting the American fly, is before parliament. I had some conversation with Sir Joseph Banks upon this subject, as he was the person whom the Privy Council referred to. I told him that the Hessian fly attacked only the green plant, and did not exist in the dry grain. He said, that with respect to the Hessian fly, they had no apprehension, but it was the weevil they alluded to. I told him the weevil had

Digitized by Google

always, more or less, been in the wheat countries of America, and that if the prohibition was on that account, it was as necessary fifty or sixty years as now; that I believed it was only a political maneuvre of the ministry to please the landed interest, as a balance for prohibiting the exportation of wool, to please the manufacturing interest. He did not reply, and as we are on very sociable terms, I went farther, by saying, the English ought not to complain of the non-payment of debts from America, while they prohibit the means of payment. I suggest to you a thought on this subject. The debts due before the war ought to be distinguished from the debts contracted since, and all and every mode of payment and remittance under which they might have been discharged at the time they were contracted, ought to accompany those debts so long as any of them shall continue unpaid, because the circumstances of payment became united with the debt, and cannot be separated by subsequent acts of one side only. If this was taken up in America, and insisted on as a right coeval with and inseparable from those debts, it would force some of the restrictions here to give way. While writing this, I am informed that the minister has had a conference with some of the American creditors, and proposed to them to assume the debts, and give them ten shillings in the pound. The conjecture is, that he means, when the new Congress is established, to demand the payment. If you are writing to General Washington, it may not be amiss

Digitized by Google

to mention this, and if I hear further on this matter, I will inform you. But as, being a money matter, it cannot come forward but through parliament, there will be notice given of the business. This would be a proper time to show, that the British acts since the peace militate against the payment, by narrowing the means by which those debts might have been paid when they were contracted, and which ought to be considered as constituent parts of the contract."

TO JAMES MADISON.

PARIS, May 11, 1789.

DEAR SIR,—My last to you was of the 15th of March. I am now in hourly expectation of receiving my leave of absence. The delay of it a little longer, will endanger the throwing my return into the winter, the very idea of which is horror itself to me. I am in hopes this is the last letter I shall have the pleasure of writing to you, before my departure.

The madness of the King of England has gone off, but left him in a state of imbecility and melancholy. They talk of carrying him to Hanover. If they do, it will be a proof he does not mend, and that they take that measure, to authorize them to establish a regency. But if he grows better, they will perhaps keep him at home, to avoid the question, who shall be regent? As that country cannot be relied on in the present state of its executive, the King of Prussia has become more moderate; he throws cold water

Digitized by Google

on the fermentation he had excited in Poland. The King of Sweden will act as nobody, not even himself, can foresee; because he acts from the caprice of the moment, and because the discontents of his army and nobles may throw him under internal difficulties, while struggling with external ones. Denmark will probably only furnish its stipulated aid to Russia. France is fully occupied with internal arrangement. So that, on the whole, the prospect of this summer is, that the war will continue between the powers actually engaged in the close of the last campaign, and extend to no others; certainly, it will not extend, this year, to the southern States of Europe. The revolution of France has gone on with the most unexampled success, hitherto. There have been some mobs, occasioned by the want of bread, in different parts of the kingdom, in which there may have been some lives lost; perhaps a dozen or twenty. These had no professed connection, *generally*, with the constitutional revolution. A more serious riot happened lately in Paris, in which about one hundred of the mob were killed. This execution has been universally approved, as they seemed to have no view but mischief and plunder. But the meeting of the States General presents serious difficulties, which it had been hoped the progress of reason would have enabled them to get over. The nobility of and about Paris, have come over, as was expected, to the side of the people, in the great question of voting by persons or orders. This had induced a presumption

Digitized by Google

that those of the country were making the same progress, and these form the great mass of the deputies of that order. But they are found to be where they were centuries ago, as to their disposition to keep distinct from the people, and even to tyrannize over them. They agree, indeed, to abandon their pecuniary privileges. The clergy seem, at present, much divided. Five-sixths of that representation consists of the lower clergy, who, being the sons of the peasantry, are very well with the Tiers État. But the Bishops are intriguing, and drawing them over daily. The Tiers État is so firm to vote by persons or to go home, that it is impossible to conjecture what will be the result. This is the state of parties, as well as we can conjecture from the conversation of the members; for, as yet, no vote has been given which will enable us to calculate, on certain ground.

Having formerly written to you on the subject of our finances, I enclose you now an abstract of a paper on that subject, which Gouverneur Morris communicated to me. You will be a better judge of its merit than I am. It seems to me worthy good attention.

I have a box of books packed for you, which I shall carry to Havre, and send by any ship bound to New York or Philadelphia. I have been so inexact as to take no list of them before nailing up the box. Be so good as to do this, and I will take with me my bookseller's account, which will enable us to make a statement of them. They are chiefly Encyclopedies,

Digitized by Google

from the twenty-third to the thirtieth livraison. Paul Jones has desired me to send to yourself and Colonel Carrington each, his bust. They are packed together in the same box. There are three other boxes, with two in each, for other gentlemen. I shall send them all together, and take the liberty of addressing them to you. I rejoice extremely to hear you are elected, in spite of all cabals. I fear your post will not permit me to see you but in New York, and consequently but a short time only. I shall much regret this.

I am, with sentiments of sincere attachment and respect, dear Sir, your friend and servant.

TO THE HONORABLE MR. JAY.

PARIS, May 12, 1789.

SIR,—I am this moment returned from Versailles, and it is the last moment allowed me to write by this occasion. The Tiers État remain unshaken in their resolution to do no business with the other orders, but voting by persons. The Nobles are equally determined, and by a majority of four-fifths or five-sixths to vote only by orders. Committees of accommodation, indeed, are appointed, but with little prospect of effect. Already the ministry of the Nobles began to talk of abandoning their body, and going to take their places among the Tiers. Perhaps they may be followed by the timid part of their orders, and it might be hoped, by a majority of the Clergy, which

Digitized by Google

still remain undebauched by the bishops. This would form a States General of the whole Tiers, a majority of the Clergy, and a fraction of the Nobles. This may be considered, then, as one of the possible issues this matter may take, should reconciliation be impracticable.

I am able to speak now more surely of the situation of the Emperor. His complaint is pulmonary. The spitting of blood is from the lungs. The hemorrhage which came on was critical, and relieved him for the moment; but the relief was momentary only. There is little expectation he can last long. The King of England's voyage to Hanover is spoken of more doubtfully. This would be an indication that his complaint is better, or, at least, not worse. I find, on receiving Mr. Neckar's discourse in print, that he has not proposed in direct terms to put down our free ports. The expression is, "on se borne en ce moment à vous faire observer," etc., etc. I spoke on the subject to M. de Montmorin to-day, and he says they meant and mean to confer with me on it before my departure. I spoke to him also to bring Schweighauser and De Bree's affair to a conclusion; and to Mr. Rayneval on the same subject. They told me they had just received a letter from the Count de la Luzerne, justifying the detention of our stores; that they were so much dissatisfied with the principles he advanced, that they should take upon themselves to combat and protest against them, and to insist on a clear establishment of the rule that the

Digitized by Google

property of one sovereign within the dominions of another, is not liable to the territorial jurisdiction. They have accordingly charged one of their ablest counsels with the preparation of a memoir to establish this point. I have the honor to be, with sentiments of the most perfect esteem and respect, Sir, your most obedient, and most humble servant.

TO MONSIEUR DE PONTIERE.

PARIS, May 17, 1789.

SIR,—I am honored with your letter of the 6th instant, and am sincerely sorry that you should experience inconveniences for the want of arrearages due to you from the United States. I have never ceased to take every measure which could promise to procure to the foreign officers the payment of these arrears. At present, the matter stands thus: Congress have agreed to borrow a sum of money in Holland, to enable them to pay the individual demands in Europe. They have given orders that these arrearages shall be paid out of this money, when borrowed, and certain bankers in Amsterdam are charged to borrow the money. I am myself of opinion, they will certainly procure the money in the course of the present year; but it is not for me to affirm this, nor to make any engagement. The moment the money is ready, it shall be made known to Colonel Gourion, who, at the desire of many of the officers, has undertaken to communicate with me

Digitized by Google

on the subject, and to inform them, from time to time, of the progress of this business. He will readily answer your letters on this subject. I depart in a few days for America, but shall leave such instructions here, as that this matter will suffer no delay on that account.

I have the honor to be, Sir, your most obedient humble servant.

TO MR. VAUGHAN.

PARIS, May 17, 1789.

DEAR SIR,—I am to acknowledge, all together, the receipt of your favors of March the 17th, 26th, and May the 7th, and to return you abundant thanks for your attention to the article of dry rice, and the parcel of seeds you sent me. This is interesting, because, even should it not take place of the wet rice, in South Carolina, it will enable us to cultivate this grain in Virginia, where we have not lands disposed for the wet rice. The collection of the works of Monsieur de Poivre has not, as I believe, been ever published. It could hardly have escaped my knowledge if they had been ever announced. The French translation of the book on trade, has not yet come to my hands. Whenever I receive the copies they shall be distributed, and principally among the members of the *états généraux*. I doubt whether, at this session, they will take up the subject of commerce. Whenever they do, they will find better principles nowhere

Digitized by Google

than in that book. I spoke with Mr. Stewart yesterday on the subject of the distribution, and if I should be gone before the books come to hand, he will execute the commission. Your nation is very far from the liberality that treatise inculcates. The proposed regulation on the subject of our wheat, is one proof. The prohibition of it in England would, of itself, be of no great moment, because I do not know that it is much sent there. But it is the publishing a libel on our wheat, sanctioned with the name of parliament, and which can have no object but to do us injury, by spreading a groundless alarm in those countries of Europe where our wheat is constantly and kindly received. It is a mere assassination. If the insect they pretend to fear, be the Hessian fly, it never existed in the grain. If it be the weevil, our grain always had that; and the experience of a century has proved that either the climate of England is not warm enough to hatch the egg and continue the race, or that some other unknown cause prevents any evil from it. How different from this spirit, my dear Sir, has been your readiness to help us to the dry rice, to communicate to us the bread tree, etc. Will any of our climates admit the cultivation of the latter? I am too little acquainted with it, to judge. I learn that your newspapers speak of the death of Ledyard, at Grand Cairo. I am anxious to know whether there be foundation for this. I have not yet had time to try the execution of the wood hygrometer proposed by Dr. Franklin. Though I have most of the articles

Digitized by Google

ready made, I doubt now whether I shall be able to do it before my departure for America, the permission for which, I expect every hour; and I shall go off the instant I receive it. While there, I shall have the pleasure of seeing your father and friends. I expect to return in the fall. In the meantime I have the honor to be, with very great esteem and respect, dear Sir, your most obedient humble servant.

TO THOMAS PAINE.

PARIS, May 19, 1789.

DEAR SIR,—Your favors of February the 16th to April the 13th, and of May the 3d and 10th, are received; and the two last are sent to Mr. Leroy, who will communicate them to the Academy.

You know that the States General have met, and probably have seen the speeches at the opening of them. The three orders sit in distinct chambers. The great question, whether they shall vote by orders or persons can never be surmounted amicably. It has not yet been proposed in form; but the votes which have been taken on the outworks of that question show that the Tiers État are unanimous, a good majority of the Clergy (consisting of the Curés) disposed to side with the Tiers État, and in the chamber of the Noblesse, there are only fifty-four in that sentiment, against one hundred and ninety, who are for voting by orders. Committees to find means of conciliation are appointed by each chamber; but con-

Digitized by Google

ciliation is impossible. Some think the Nobles could be induced to unite themselves with the *higher Clergy* into one House, the lower Clergy and Tiers État forming another. But the Tiers État are immovable. They are not only firm, but a little disdainful. The question is, what will ensue? One idea is to separate, in order to consult again their constituents, and to take new instructions. This would be doing nothing, for the same instructions would be repeated; and what, in the meantime, is to become of a government, absolutely without money, and which cannot be kept in motion with less than a million of livres a day? The more probable expectation is as follows. As soon as it shall become evident that no amicable determination of the manner of voting can take place, the Tiers État will send an invitation to the two other orders to come and take their places in the common chamber. A majority of the Clergy will go, and the minority of the Noblesse. The chamber thus composed will declare that the States General are constituted, will notify it to the King, and that they are ready to proceed to business. If the King refuses to do business with them, and adheres to the Nobles, the common chamber will declare all taxes at an end, will form a declaration of rights, and do such other acts as circumstances will permit, and go home. The tax-gatherers will then be resisted, and it may well be doubted whether the soldiery and their officers will not divide, as the Tiers État and Nobles. But it is more likely that the King will agree to do business

Digitized by Google

with the States General, so constituted, professing that the necessities of the moment force this, and that he means to negotiate (as they go along) a reconciliation between the seceding members and those which remain. If the matter takes this turn, there may be small troubles and ebullitions excited by the seceding Noblesse and higher Clergy; but no serious difficulty can arise. M. de Lamoignon, the Garde des Sceaux of the last year, has shot himself. The Emperor's complaint is pulmonary and incurable. The Grand Seignor is dead; his successor, young and warlike. I congratulate you sincerely on the success of your bridge. I was sure of it before from theory; yet one likes to be assured from practice also. I am anxious to see how Mr. Rumsey's experiment succeeds.

May the 21st. I have this moment received a letter from Ledyard, dated Cairo, November the 15th. He therein says, "I am doing up my baggage, and most curious baggage it is, and I leave Cairo in two or three days. I travel from hence southwest, about three hundred leagues, to a black King; there my present conductors leave me to my fate. Beyond, I suppose, I go alone. I expect to hit the continent across, between the parallels of twelve and twenty degrees north latitude. I shall, if possible, write you from the kingdom of this black gentleman." This seems to contradict the story of his having died at Cairo in January, as he was then, probably, in the interior parts of Africa. If Sir Joseph Banks

Digitized by Google

has no news from him later than the letter of September, it may do him pleasure, if you will communicate the above. If he or any other person knows whether there is any foundation for the story of his death, I will thank you to inform me of it. My letter being to go off to-morrow, I shall only add assurances of the esteem and respect with which I am, dear Sir, your friend and servant.

TO DOCTOR PRICE.

PARIS, May 19, 1789.

DEAR SIR,—Your favor of the 4th instant is duly received. I am in hourly expectation of receiving letters permitting me to go to America for a few months, and shall leave Paris within a very few days after I shall have received them. As this is probably the last letter I can have the honor of writing you before my return, I will do myself the pleasure of putting you in possession of the state of things here at this moment, as it may enable you better to decide between truth and falsehood for some time to come. You already know that the States General are met, and have seen the speeches of the King, the Garde des Sceaux, and of Mr. Neckar. The three orders as yet, sit in different chambers. The great parliamentary question whether they shall vote by orders or persons is undecided. It has not yet been formally proposed, but the votes already given in the separate chambers on the outworks of that question, show

Digitized by Google

that the Tiers État are unanimous for voting by persons. A good majority of the Clergy of the same disposition, and only fifty-four of the Noblesse against one hundred and ninety of the same body, who are for voting by orders. The chambers have appointed committees to confer together on the means of conciliation, but this is mere form, conciliation being impracticable. The Noblesse, as some think, would be induced to unite themselves into one house, with the higher Clergy, the lower Clergy and Tiers forming another. But the Tiers are firm, and will agree to no modification. They are disposed to reduce the State to one order as much as possible. As we are always disposed to conjecture on the future, it is natural to form conjectures as to the issue from the present difficulty. One idea is, that they will separate to consult their constituents. I think they will not do this, because they know their constituents will repeat the same instructions. And what in the meantime is to become of a government which cannot keep in motion with less than a million of livres a day? A more probable conjecture is, that when it shall be manifest that conciliation is impracticable, the Tiers will invite the other orders to come and take their places in the common chamber. The majority of the Clergy, (to wit, the curés, and the minority of the Noblesse,) will accept the invitation. The chamber thus composed, will declare that the States General are now constituted, will notify it to the King, and prepare to proceed to business. If he

Digitized by Google

refuses to acknowledge them, and adheres to the principles of the Noblesse, they will suspend all taxes, form a declaration of rights, and do such other acts as circumstances will admit, and go home. The tax-gatherers will be resisted, and perhaps the soldiery take side with the Tiers, and their officers with the Noblesse. But I rather suppose the King will do business with the States so constituted, negotiating at the same time as they go along, a reconciliation with the seceding members. The latter may in that case excite small and partial troubles, but cannot make a serious resistance. It is very important that the lower Clergy side with the Tiers. They are the effective part of that order, while the bishops and archbishops are held in detestation. But you are to keep in mind that these are conjectures, and you know how small a circumstance may give a totally different turn from what has been plausibly conjectured. My hope is that the mass of the Bourgeoisie is too well in motion, and too well-informed to be resisted or misled, and ultimately that this great country will obtain a good constitution, and show the rest of Europe that reformation in government follows reformation in opinion. I am, with sentiments of the most perfect esteem and attachment, dear Sir, your most obedient, and most humble servant.

Digitized by Google

TO MONSIEUR DE CREVE-COEUR.

PARIS, May 20, 1789.

DEAR SIR,—I am now to acknowledge the receipt of your several letters of October 20th, November 20th, and January 2d, and to thank you for the pamphlets you have been so kind as to send me. A conveyance by the way of London enables me to write the present, for I never think of writing *news* by the circumnavigation of the Bordeaux packet. You know that your States General are met, and you have seen the speeches of the King and his ministers at the opening of it, for I take for granted, M. de Montmorin has sent them to M. de Moustier, as I have done to Mr. Jay. I was present at that august ceremony. Had it been enlightened with lamps and chandeliers, it would have been almost as brilliant as the opera. Till now your affairs have gone on with a smoothness and rapidity which has been never before seen. At this moment, however, they are at a dead stand. The great preliminary question, whether they shall vote by orders or persons, seems to threaten a scission. They have not yet ventured to present the question in form, but the votes which have been given by the separate chambers on the outworks of that question, enables us to see pretty clearly the strength of the two parties. For voting by persons are 1, the Tiers État, unanimous; 2, a good majority of the Clergy, consisting of the curés; 3, fifty-four members of the Noblesse. For voting

Digitized by Google

by orders are 1, the residue of the Nobles being about 190; 2, a minority of the Clergy, consisting of the bishops and archbishops, etc. All the world is conjecturing how they are to get over the difficulty. Abundance are affrighted, and think all is lost, and the nation in despair at this unsuccessful effort, will consign itself to tenfold despotism. This is rank cowardice. Others propose that the members shall go back to ask new instructions from their constituents. This would be useless, because they know that the same instructions would be repeated, and who can say what new event, internal or external, might shuffle this glorious game out of their hands? Another hypothesis, which I shall develop, because I like it, and wish it, and hope it, is, that as soon as it shall be manifest that the committees of conciliation, now appointed by the three chambers, shall be able to agree in nothing, the Tiers will invite the other two orders to come and take their seats in the common chamber. A majority of the Clergy will come, and the minority of the Nobles. The chamber thus composed, will declare that the States General are now constituted, will notify it to the King, and propose to do business. It may be hoped he will accede to their proposition, justifying it by the necessity of the moment, and negotiating as they go along, the return of the other members of the Noblesse and Clergy. If he should, on the contrary, refuse to receive them as the States General, and adheres to the principles of the Noblesse, it may pos-

Digitized by Google

sibly happen that the Tiers will declare all taxes discontinued, form a declaration of rights, and do such other acts as circumstances will admit, and return every man to his tent. The tax-gatherers might be resisted, and the body of the army found to be disposed differently from their officers. All this will be avoided by admitting this composition of the chamber to be the States General, and pursuing modes of conciliation. These, indeed, will be difficult for the orders, as the Tiers seem determined to break down all the barriers of the separation of the several orders, and to have in future but one. I would have put off writing to you a few days longer, in hopes of informing you of the unravelling of this knot, but I am in hourly expectation of receiving my leave of absence, and am so prepared for my departure, that a very few days will enable me to set out for America, where I shall have the pleasure of relating to you more accurately the state of things here, of delivering you letters from your sons, and of assuring you in person of those sentiments of esteem and respect, with which I have the honor to be, dear Sir, your most obedient humble servant.

P. S. I have sent to M. le Comte de Moustier a list of the Deputies of the States.

Digitized by Google

TO MONSIEUR DE LA FAYETTE.

PARIS, June 3, 1789.

DEAR SIR,—Revolving further in my mind the idea started yesterday of the King's coming forward in a *séance royale*, and offering a charter containing all the good in which all the parties agree, I like it more and more. I have ventured to sketch such a charter merely to convey my idea, which I now enclose to you, as I do also to M. de St. Etienne. I write him a letter of apology for my meddling in a business where I know so little and you and he so much. I have thought it better to possess him immediately of the paper, because he may at the conference of to-day sound the minds of the conferees. Yours affectionately.

TO MONSIEUR DE ST. ETIENNE.

PARIS, June 3, 1789.

SIR,—After you quitted us yesterday evening, we continued our conversation (Monsieur de La Fayette, Mr. Short and myself) on the subject of the difficulties which environ you. The desirable object being, to secure the good which the King has offered, and to avoid the ill which seems to threaten, an idea was suggested, which appearing to make an impression on Monsieur de La Fayette, I was encouraged to pursue it on my return to Paris, to put it into form, and now to send it to you and him. It is this; that the

Digitized by Google

King, in a *séance royale* should come forward with a Charter of Rights in his hand, to be signed by himself and by every member of the three orders. This charter to contain the five great points which the Resultat of December offered, on the part of the King, the abolition of pecuniary privileges offered by the privileged orders, and the adoption of the national debt, and a grant of the sum of money asked from the nation. This last will be a cheap price for the preceding articles; and let the same act declare your immediate separation till the next anniversary meeting. You will carry back to your constituents more good than ever was effected before without violence, and you will stop exactly at the point where violence would otherwise begin. Time will be gained, the public mind will continue to ripen and to be informed, a basis of support may be prepared with the people themselves, and expedients occur for gaining still something further at your next meeting, and for stopping again at the point of force. I have ventured to send to yourself and Monsieur de La Fayette a sketch of my ideas of what this act might contain, without endangering any dispute. But it is offered merely as a canvas for you to work on, if it be fit to work on at all. I know too little of the subject, and you know too much of it, to justify me in offering anything but a hint. I have done it, too, in a hurry; insomuch, that since committing it to writing, it occurs to me that the fifth article may give alarm; that it is in a good degree included in the fourth, and

Digitized by Google

is, therefore, useless. But after all, what excuse can I make, Sir, for this presumption. I have none but an unmeasurable love for your nation, and a painful anxiety lest despotism, after an unaccepted offer to bind its own hands, should seize you again with tenfold fury. Permit me to add to these, very sincere assurances of the sentiments of esteem and respect, with which I have the honor to be, Sir, your most obedient, and most humble servant.

[The annexed is the Charter accompanying the two preceding letters.]

A Charter of Rights, solemnly established by the King and Nation.

1. The States General shall assemble, uncalled, on the first day of November, annually, and shall remain together so long as they shall see cause. They shall regulate their own elections and proceedings, and until they shall ordain otherwise, their elections shall be in the forms observed in the present year, and shall be triennial.

2. The States General alone shall levy money on the nation, and shall appropriate it.

3. Laws shall be made by the States General only, with the consent of the King.

4. No person shall be restrained of his liberty, but by regular process from a court of justice, authorized by a general law. (Except that a Noble may be

Digitized by Google

imprisoned by order of a court of justice, on the prayer of twelve of his nearest relations.) On complaint of an unlawful imprisonment, to any judge whatever, he shall have the prisoner immediately brought before him, and shall discharge him, if his imprisonment be unlawful. The officer in whose custody the prisoner is, shall obey the orders of the judge; and both judge and officer shall be responsible, civilly and criminally, for a failure of duty herein.

5. The military shall be subordinate to the civil authority.

6. Printers shall be liable to legal prosecution for printing and publishing false facts, injurious to the party prosecuting; but they shall be under no other restraint.

7. All pecuniary privileges and exemptions, enjoyed by any description of persons, are abolished.

8. All debts already contracted by the King, are hereby made the debts of the nation; and the faith thereof is pledged for their payment in due time.

9. Eighty millions of livres are now granted to the King, to be raised by loan, and reimbursed by the nation; and the taxes heretofore paid, shall continue to be paid to the end of the present year, and no longer.

10. The States General shall now separate, and meet again on the 1st day of November next.

Done, on behalf of the whole nation, by the King

Digitized by Google

and their representatives in the States General, at Versailles, this —— day of June, 1789.

Signed by the King, and by every member individually, and in his presence.

TO THE MARQUIS DE LA FAYETTE.

PARIS, June 12, 1789.

MY DEAR SIR,—As I may not be able to get at you, at Versailles, I write this to deliver it myself at your door. With respect to the utility, or inutility of your minority's joining the Commons, I am unable to form an opinion for myself. I know too little of the subject to see what may be its consequences.

I never knew an instance of the English parliament's undertaking to relieve the poor, by a distribution of bread in time of scarcity. In fact, the English commerce is so extensive and so active, that though bread may be a little more or less plenty, there can never be an absolute failure. This island is so narrow, that corn can be readily carried from the sea ports to its interior parts. But were an absolute want to happen, and were the parliament to undertake a distribution of corn, I think, that according to the principles of their government, they would only vote a sum of money, and address the King to employ it for the best. The business is, in its nature, executive, and would require too great a variety of detail to be managed by an act of parliament. However, I repeat it, that I never heard or read of an

Digitized by Google

instance of the parliament's interfering to give bread. If I see you at Versailles to-day, I can be more particular.

I am with great sincerity, my dear Sir, your affectionate friend and servant.

TO JOHN JAY.

PARIS, June 17, 1789.

SIR,—I had the honor of addressing you on the 9th and 12th of May, by the way of London. This goes through the same channel to the care of Mr. Trumbull. Having received no letter from you of later date than the 25th of November, I am apprehensive that there may have been miscarriages, and the more so, as I learn, through another channel, that you have particularly answered mine of November the 19th.

The death of the Grand Seignior, which has happened, renders the continuance of the war more probable, as it has brought to the throne a successor of a more active and ardent temper, and who means to put himself at the head of his armies. He has declared the Captain Pacha his Generalissimo. The prospects for Russia, on the other hand, are less encouraging. Her principal ally, the Emperor, is at death's door, blazing up a little, indeed, from time to time, like an expiring taper, but certainly to extinguish soon. Denmark, too, is likely to be restrained by the threats of England and Prussia, from contributing even her stipulated naval succors. It is

Digitized by Google

some time since I have been able to obtain any account of the King of England, on which I can rely with confidence. His melancholy continues, and to such a degree, as to render him absolutely indifferent to everything that passes, so that he seems willing to let his ministers do everything they please, provided they will let him alone. When forced to speak, his comprehension seems better than it was in the first moments after his phrensy went off. His health is bad; he does not go into public at all, and very few are admitted to see him. This is his present state, according to the best accounts I have been able to get lately. His ministers dictate boldly in the north, because they know it is impossible they should be engaged in the war, while this country is so completely palsied.

You will have seen, by my former letters, that the question, whether the States General should vote by persons or by orders, had stopped their proceedings in the very first instances in which it could occur, that is, as to the verification of their powers, and that they had appointed committees to try if there were any means of accommodation. These could do nothing. The King then proposed that they should appoint others, to meet persons whom he should name, on the same subject. These conferences also proved ineffectual. He then proposed a specific mode of verifying. The Clergy accepted it unconditionally. The Noblesse, with such conditions and modifications, as did away their acceptance alto-

Digitized by Google

gether. The Commons, considering this as a refusal, came to the resolution of the 10th instant, (which I have the honor to send you,) inviting the two other orders to come and take their places in the common room, and notifying that they should proceed to the verification of powers, and to the affairs of the nation, either with or without them. The Clergy have, as yet, given no answer. A few of their members have accepted the invitation of the Commons, and have presented themselves in their room, to have their powers verified; but how many it will detach, in the whole, from that body, cannot be known till an answer be decided on. The Noblesse adhered to their former resolutions, and even the minority, well disposed to the Commons, thought they could do more good in their own chamber, by endeavoring to increase their numbers and fettering the measures of the majority, than by joining the Commons. An intrigue was set on foot between the leaders of the majority in that House, the Queen and Princes. They persuaded the King to go for some time to Marly; he went. On the same day, the leaders moved in the chamber of Nobles, that they should address the King, to declare his own sentiments on the great question between the orders. It was intended that this address should be delivered to him at Marly, where, separated from his ministers, and surrounded by the Queen and Princes, he might be surprised into a declaration for the Nobles. The motion was lost, however, by a very great majority,

Digitized by Google

that chamber being not yet quite ripe for throwing themselves into the arms of despotism. Neckar and Montmorin who had discovered this intrigue, had warned some of the minority to defeat it, or they could not answer for what would happen. These two and St. Priest, are the only members of the Council in favor of the Commons. Luzerne, Puy-Segur and the others, are high aristocrats. The Commons having verified their powers, a motion was made the day before yesterday, to declare themselves constituted, and to proceed to business. I left them at two o'clock yesterday; the debates not then finished. They differed only about forms of expression, but agreed in the substance, and probably decided yesterday, or will decide to-day. Their next move, I fancy, will be to suppress all taxes, and instantly re-establish them till the end of their session, in order to prevent a premature dissolution; and then, they will go to work on a declaration of rights and a constitution. The Noblesse, I suppose, will be employed altogether in counter operations; the Clergy, that is to say, the higher Clergy, and such of the Curés as they can bring over to their side, will be waiting and watching, merely to keep themselves in their saddles. Their deportment, hitherto, is that of meekness and cunning. The fate of the nation depends on the conduct of the King and his ministers. Were they to side openly with the Commons, the revolution would be completed without a convulsion, by the establishment of a constitution, tolerably free,

Digitized by Google

and in which the distinction of Noble and Commoner would be suppressed. But this is scarcely possible. The King is honest, and wishes the good of his people; but the expediency of an hereditary aristocracy is too difficult a question for him. On the contrary, his prejudices, his habits and his connections, decide him in his heart to support it. Should they decide openly for the Noblesse, the Commons, after suppressing taxes, and finishing their declaration of rights, would probably go home; a bankruptcy takes place in the instant, Mr. Neckar must go out, a resistance to the tax-gatherers follows, and probably a civil war. These consequences are too evident and violent, to render this issue likely. Though the Queen and Princes are infatuated enough to hazard it, the party in the ministry would not. Something, therefore, like what I hinted in my letter of May the 12th, is still the most likely to take place. While the Commons, either with or without their friends of the other two Houses, shall be employed in framing a constitution, perhaps the government may set the other two Houses to work on the same subject; and when the three schemes shall be ready, joint committees may be negotiated, to compare them together, to see in what parts they agree; and probably they will agree in all, except the organization of the future States General. As to this, it may be endeavored, by the aid of wheedling and intimidation, to induce the two privileged chambers to melt themselves into one, and the Commons, instead of one, to agree to

Digitized by Google

two Houses of legislation. I see no other middle ground to which they can be brought.

It is a tremendous cloud, indeed, which hovers over this nation, and he at the helm has neither the courage nor the skill necessary to weather it. Eloquence in a high degree, knowledge in matters of account and order, are distinguishing traits in his character. Ambition is his first passion, virtue his second. He has not discovered that sublime truth, that a bold, unequivocal virtue is the best handmaid even to ambition, and would carry him further, in the end, than the temporizing, wavering policy he pursues. His judgment is not of the first order, scarcely even of the second; his resolution frail; and, upon the whole, it is rare to meet an instance of a person so much below the reputation he has obtained. As this character, by the post and times in which providence has placed it, is important to be known, I send it to you as drawn by a person of my acquaintance, who knows him well. He is not, indeed, his friend, and allowance must, therefore, be made for the high coloring. But this being abated, the facts and groundwork of the drawing are just. If the Tiers separate, he goes at the same time; if they stay together, and succeed in establishing a constitution to their mind, as soon as that is placed in safety, they will abandon him to the mercy of the court, unless he can recover the confidence which he has lost at present, and which, indeed, seems to be irrecoverable.

The inhabitants of St. Domingo, without the per-

Digitized by Google

mission of the Government, have chosen and sent deputies to the States General. The question of their admission is to be discussed by the States. In the meantime, the Government had promised them an Assembly in their own island, in the course of the present year. The death of the Dauphin, so long expected, has at length happened. Montmorin told Ternant the other day, that de Moustier had now asked a *congé*, which would be sent him immediately. So that unless a change of ministry should happen, he will, probably, be otherwise disposed of. The gazettes of France and Leyden accompany this. I have the honor to be, with the most perfect esteem and respect, Sir, your most obedient humble servant.

P. S. June 18. The motion under debate with the Commons, for constituting their Assembly, passed yesterday by a majority of four hundred and odd, against eighty odd. The latter were for it in substance, but wished some particular amendment. They proceeded instantly to the subject of taxation. A member, who called on me this moment, gave me a state of the proceedings of yesterday, from memory, which I enclose you. He left the House a little before the question was put, because he saw there was no doubt of its passing, and his brother, who remained till the decision, informed him of it. So that we may expect, perhaps, in the course of to-morrow, to see whether the government will interpose with a bold hand, or will begin a negotia-

Digitized by Google

tion. But in the meantime, this letter must go off. I will find some other opportunity, however, of informing you of the issue.

[*Character of Mr. Neckar, accompanying the preceding letter.*]

Nature bestowed on Mr. Neckar an ardent passion for glory, without, at the same time, granting him those qualities required for its pursuit by direct means. The union of a fruitful imagination, with a limited talent, with which she has endowed him, is always incompatible with those faculties of the mind which qualify their possessor to penetrate, to combine, and to comprehend all the relations of objects.

He had probably learned in Geneva, his native country, the influence which riches exercise on the success of ambition, without having recourse to the school of Paris, where he arrived about the twenty-eighth year of his age. A personal affair with his brother, in which the chiefs of the republic conducted themselves unjustly towards him, the circumstances of which, moreover, exposed him to ridicule, determined him to forsake his country. On taking his leave, he assured his mother that he would make a great fortune at Paris. On his arrival, he engaged himself as clerk, at a salary of six hundred livres, with the banker Thelusson, a man of extreme harshness in his intercourse with his dependents. The same cause which obliged other clerks to abandon the ser-

Digitized by Google

vice of Thelusson, determined Neckar to continue in it. By submitting to the brutality of his master with a servile resignation, whilst, at the same time, he devoted the most unremitting attention to his business, he recommended himself to his confidence, and was taken into partnership. Ordinary abilities only were requisite to avail him of the multitude of favorable circumstances, which, before he entered into the administration, built up a fortune of six millions of livres. He owed much of his good fortune to his connections with the Abbé Terrai, of whose ignorance he did not scruple to profit. His riches, his profession, his table, and a virtuous, reasonable and well-informed wife, procured him the acquaintance of many persons of distinction, among whom were many men of letters, who celebrated his knowledge and wisdom.

The wise and just principles by which Turgot aimed to correct the abuses of the administration, not having been received with favor, he seized the occasion to flatter ignorance and malignity, by publishing his work against the freedom of the corn trade. He had published, two years before, an eulogy on Colbert. Both these productions exhibited the limited capacity of a banker, and, in no degree, the enlarged views of a statesman. Not at all delicate in the choice of his means, he succeeded to his wish in his object, which was the establishing himself in public opinion. Elevated by a secret cabal, to the direction of the finances, he began by refusing the

Digitized by Google

salaries of his office. He affected a spirit of economy and austerity, which imposed even on foreign nations, and showed the possibility of making war without laying new taxes. Such, at least, was his boast; but, in reality, they have been increased under his administration, about twenty millions, partly by a secret augmentation of the *bailles* and of the poll-tax, partly by some versifications of the *twentieths*, and partly by the natural progression, which is tested by the amount of taxes on consumption, the necessary result of the successive increase of population, of riches, and of expensive tastes.

All these circumstances reared for him an astonishing reputation, which his fall has consecrated. People will not reflect, that, in the short period of his ministry, he had more than doubled his fortune. Not that he had peculated on the public treasury; his good sense and pride forbade a resort to this manœuvre of weak minds; but by resorting to loans and the costly operations of the bank, to provide the funds of war, and being still connected with the house to which he addressed himself for much the greater part of his negotiations. They have not remarked that his great principles of economy have nothing more than a false show, and that the loans resorted to, in order to avoid the imposition of taxes, have been the source of the mischief which has reduced the finances to their present alarming condition.

As to his *compte rendu;* he has been forgiven the

Digitized by Google

nauseous panegyric which he has passed upon himself, and the affectation of introducing his wife into it, for the purpose of praising her; and we are spared the trouble of examining his false calculations. M. de Calonnes has undertaken this investigation. Without being able to vindicate himself, he has already begun to unmask his antagonist, and he promises to do it effectually.

Necessity has recalled this man to the ministry; and it must be confessed that he is beyond comparison a less mischievous minister than his predecessors. I would compare him to a steward, who, by his management, does not entirely ruin his master, but who enriches himself at his expense. The desire of glory should inspire him as much as possible with the energy requisite for the public business. There is every likelihood that his ministry will not endure long enough to cause it to feel the effects of his false principles of administration; and it is he alone who is able, if any one can, to preserve order in the finances, until the reform is effected which we hope from the assembling of the States General. In the meantime the public estimation of his talents and virtue is not so high as it has been. There are persons who pretend that he is more firmly established in public opinion than he ever was. They deceive themselves. The ambitious desire he has always manifested of getting again into the administration, his work on the importance of religious opinions, and the memoires of M. de Calonnes, have greatly impaired his reputation.

Digitized by Google

TO JAMES MADISON.

PARIS, June 18, 1789.

SIR,—My last to you was of May the 11th. Yours of March the 29th, came to hand ten days ago; and about two days ago I received a cover of your hand writing, under which were a New York paper of May the 4th, and a letter from Mr. Page to Mazzei. There being no letter from you, makes me hope there is one on the way, which will inform me of my *congé*. I have never received Mr. Jay's answer to my public letter, of November the 19th, which you mention him to have written, and which I fear has been intercepted. I know only from you, that my letter got safe to hand. My baggage has been made up more than a month, so that I shall leave Paris almost in the instant of receiving the permission.

The campaign begins under unfavorable auspices for Russia. The death of the Grand Seignior, who was personally disposed for peace, has brought a young and ardent successor to the throne, determined to push the war to extremity. Her only ally, the Emperor, is in *articulo mortis*, and the Grand Duke of Tuscany, should he succeed, loves peace and money. Denmark is forbidden by England and Prussia to furnish even its stipulated maritime aid. There is no appearance of any other power's engaging in the war. As far as I can discover, the King of England is somewhat better in his head, but under such a complete depression of spirits, that he does

Digitized by Google

not care how the world goes, and leaves his ministers to do as they please. It is impossible for you to conceive how difficult it is to know the truth relative to him, he is environed in such an atmosphere of lies. Men who would not speak a falsehood on any other subject, lie on this, from a principle of duty; so that even eye witnesses cannot be believed without scanning their principles and connections; and few will stand this, of the very few permitted to see him.

Committees of conciliation having failed in their endeavors to bring together the three chambers of the States General, the King proposed a specific mode of verifying their powers; for that having been the first question which presented itself to them, was the one in which the question of voting by persons or orders was first brought on. The Clergy accepted unconditionally. The Noblesse accepted on conditions which reduced the acceptance to nothing at all. The Commons considered this as a refusal on the part of the Nobles, and thereupon took their definitive resolution, to invite the other two orders to come and verify their powers in common, and to notify them they should proceed with or without them to verify, and to do the business of the nation. This was on the 10th. On the 15th, they moved to declare themselves the National Assembly. The debates on this were finished yesterday, when the proposition was agreed to, by four hundred and odd, against eighty odd. The minority agreed in substance, but wished some particular amendment,

Digitized by Google

They then immediately made the proposition relative to taxes, which I enclose you, as this moment stated to me, by memory, by a member who left the Assembly a little before the question, because there was no opposition to the matter, but only to the form. He assures me, on the information of another member who was present, that Target's motion passed. We shall know, I think, within a day or two, whether the government will risk a bankruptcy and civil war, rather than see all distinction of orders done away, which is what the Commons will push for. If the fear of the former alternative prevails, they will spin the matter into negotiation. The Commons have in their chamber almost all the talents of the nation: they are firm and bold, yet moderate. There is, indeed, among them, a number of very hot-headed members; but those of most influence are cool, temperate and sagacious. Every step of this House has been marked with caution and wisdom. The Noblesse, on the contrary, are absolutely out of their senses. They are so furious, they can seldom debate at all. They have few men of moderate talents, and not one of great, in the majority. Their proceedings have been very injudicious. The Clergy are waiting to profit by every incident to secure themselves, and have no other object in view. Among the Commons there is an entire unanimity on the great question of voting by persons. Among the Noblesse there are about sixty for the Commons, and about three times that number against them. Among the Clergy, about

Digitized by Google

twenty have already come over and joined the Commons, and in the course of a few days they will be joined by many more, not, indeed, making the majority of that House, but very near it. The Bishops and Archbishops have been very successful by bribes and intrigues, in detaching the Curés from the Commons, to whom they were at first attached to a man. The Commons are about five hundred and fifty-four in number, of whom three hundred and forty-four are of the law. These do not possess an influence founded in property; but in their habits of business and acquaintance with the people, and in their means of exciting them as they please. The Curés throughout the kingdom, form the mass of the Clergy; they are the only part favorably known to the people, because solely charged with the duties of baptism, burial, confession, visitation of the sick, instruction of the children, and aiding the poor; they are themselves of the people, and united with them. The carriages and equipage only of the higher Clergy, not their persons, are known to the people, and are in detestation with them. The soldiers will follow their officers, that is to say, their captains, lieutenants and ensigns. These are of the lower nobility, and, therefore, much divided. The colonels and higher officers are of the higher nobility, are seldom with the soldiers, little known to them, not possessing their attachment. These circumstances give them little weight in the partition of the army.

I give you these miscellaneous observations, that

Digitized by Google

knowing somewhat the dispositions of the parties, you may be able to judge of the future for yourself, as I shall not be here to continue its communication to you.

In hopes to see you soon, I conclude with assurances of the perfect esteem and respect with which I am, dear Sir, your friend and servant.

TO JOHN JAY.

PARIS, June 24, 1789.

SIR,—My letter of the 17th and 18th instant, gave you the progress of the States General to the 17th, when the Tiers had declared the illegality of all the existing taxes, and their discontinuance from the end of their present session. The next day being a *jour de fete*, could furnish no indication of the impression that vote was likely to make on the government. On the 19th, a Council was held at Marly, in the afternoon. It was there proposed, that the King should interpose by a declaration of his sentiments in a *séance royale*. The declaration prepared by Mr. Neckar, while it censured in general the proceedings both of the Nobles and Commons, announced the King's views, such as substantially to coincide with the Commons. It was agreed to in Council, as also that the *séance royale* should be held on the 22d, and the meetings till then be suspended. While the Council was engaged in this deliberation at Marly, the Chamber of the Clergy was in debate, whether

Digitized by Google

they should accept the invitation of the Tiers to unite with them in the common chamber. On the first question, to unite simply and unconditionally, it was decided in the negative by a very small majority. As it was known, however, that some members who had voted in the negative, would be for the affirmative with some modifications, the question was put with these modifications, and it was determined by a majority of eleven members, that their body should join the Tiers. These proceedings of the Clergy were unknown to the Council at Marly, and those of the Council were kept secret from everybody. The next morning (the 20th), the members repaired to the House as usual, found the doors shut and guarded, and a proclamation posted up for holding a *séance royale* on the 22d, and a suspension of their meetings till then. They presumed, in the first moment, that their dissolution was decided, and repaired to another place, where they proceeded to business. They there bound themselves to each other by an oath, never to separate of their own accord, till they had settled a constitution for the nation on a solid basis, and if separated by force, that they would re-assemble in some other place. It was intimated to them, however, that day, privately, that the proceedings of the *séance royale* would be favorable to them. The next day they met in a church, and were joined by a majority of the Clergy. The heads of the aristocracy saw that all was lost without some violent exertion. The King was still

Digitized by Google

at Marly. Nobody was permitted to approach him but their friends. He was assailed by lies in all shapes. He was made to believe that the Commons were going to absolve the army from their oath of fidelity to him, and to raise their pay. * * * * They procured a committee to be held, consisting of the King and his ministers, to which Monsieur and the Count d'Artois should be admitted. At this committee, the latter attacked Mr. Neckar personally, arraigned his plans, and proposed one which some of his engines had put into his hands. Mr. Neckar, whose characteristic is the want of firmness, was browbeaten and intimidated, and the King shaken. He determined that the two plans should be deliberated on the next day, and the *séance royale* put off a day longer. This encouraged a fiercer attack on Mr. Neckar the next day; his plan was totally dislocated, and that of the Count d'Artois inserted into it. Himself and Monsieur de Montmorin offered their resignation, which was refused; the Count d'Artois saying to Mr. Neckar, "No, Sir, you must be kept as the hostage; we hold you responsible for all the ill which shall happen." This change of plan was immediately whispered without doors. The nobility were in triumph, the people in consternation. When the King passed the next day through the lane they formed from the Chateau to the Hotel des États (about half a mile), there was a dead silence. He was about an hour in the House, delivering his speech and declaration, copies of which

Digitized by Google

I enclose you. On his coming out, a feeble cry of "*vive le roy*" was raised by some children, but the people remained silent and sullen. When the Duke d'Orleans followed, however, their applauses were excessive. This must have been sensible to the King. He had ordered, in the close of his speech, that the members should follow him, and resume their deliberations the next day. The Noblesse followed him, and so did the Clergy, except about thirty, who, with the Tiers, remained in the room, and entered into deliberation. They protested against what the King had done, adhered to all their former proceedings, and resolved the inviolability of their own persons. An officer came twice to order them out of the room, in the King's name, but they refused to obey. In the afternoon, the people, uneasy, began to assemble in great numbers in the courts and vicinities of the palace. The Queen was alarmed, and sent for Mr. Neckar. He was conducted amidst the shouts and acclamations of the multitude, who filled all the apartments of the palace. He was a few minutes only with the Queen, and about three-quarters of an hour with the King. Not a word has transpired of what passed at these interviews. The King was just going to ride out. He passed through the crowd to his carriage, and into it, without being in the least noticed. As Mr. Neckar followed him, universal acclamations were raised of "Vive Monsieur Neckar, vive le sauveur de la France opprimée." He was conducted back to his house with the same demon-

Digitized by Google

strations of affection and anxiety. About two hundred deputies of the Tiers, catching the enthusiasm of the moment, went to his house, and extorted from him a promise that he would not resign. These circumstances must wound the heart of the King, desirous as he is, to possess the affections of his subjects. As soon as the proceedings at Versailles were known at Paris, a run began on the *caisse d'escompte*, which is the first symptom always of the public diffidence and alarm. It is the less in condition to meet the run, as Mr. Neckar has been forced to make free with its funds, for the daily support of the government. This is the state of things, as late as I am able to give them with certainty, at this moment. My letter not being to go off till to-morrow evening, I shall go to Versailles to-morrow, and be able to add the transactions of this day and to-morrow.

June 25. Just returned from Versailles, I am enabled to continue my narration. On the 24th, nothing remarkable passed, except an attack by the mob of Versailles on the Archbishop of Paris, who had been one of the instigators of the court, to the proceedings of the *séance royale*. They threw mud and stones at his carriage, broke the windows of it, and he in a fright promised to join the Tiers.

This day (the 25th) forty-eight of the Nobles have joined the Tiers. Among these, is the Duke d'Orleans. The Marquis de La Fayette could not be of the number, being restrained by his instructions. He is writing to his constituents, to change his in-

Digitized by Google

structions or to accept his resignation. There are with the Tiers now, one hundred and sixty-four members of the Clergy, so that the common chamber consists of upwards of eight hundred members. The minority of the Clergy, however, call themselves the chamber of the Clergy, and pretend to go on with business. I found the streets of Versailles much embarassed with soldiers. There was a body of about one hundred horse drawn up in front of the Hotel of the States, and all the avenues and doors guarded by soldiers. Nobody was permitted to enter but the members, and this was by order of the King; for till now, the doors of the common room have been open, and at least two thousand spectators attending their debates constantly. They have named a deputation to wait on the King, and desire a removal of the soldiery from their doors, and seem determined, if this is not complied with, to remove themselves elsewhere.

Instead of being dismayed with what has passed, they seem to rise in their demands, and some of them to consider the erasing every vestige of a difference of order as indispensable to the establishment and preservation of a good constitution. I apprehend there is more courage than calculation in this project. I did imagine, that seeing that Mr. Neckar and themselves were involved as common enemies in the hatred of the aristocrats, they would have been willing to make common cause with him, and to wish his continuance in office; and that Mr. Neckar, seeing that

Digitized by Google

all the trimming he has used towards the court and Nobles, has availed him nothing, would engage himself heartily and solely on the popular side, and view his own salvation in that alone. The confidence which the people place in him, seems to merit some attention. However, the mass of the common chamber are absolutely indifferent to his remaining in office. They consider his head as unequal to the planning a good constitution, and his fortitude to a co-operation in the effecting it. His dismission is more credited to-day than it was yesterday. If it takes place, he will retain his popularity with the nation, as the members of the States will not think it important to set themselves against it, but on the contrary, will be willing that he should continue on their side, on his retirement. The run on the *caisse d'escompte* continues. The members of the States admit, that Mr. Neckar's departure out of office will occasion a stoppage of public payments. But they expect to prevent any very ill effect, by assuring the public against any loss, and by taking immediate measures for continuing payment. They may, perhaps, connect these measures with their own existence, so as to interest the public in whatever catastrophe may be aimed at them. The gazettes of France and Leyden accompany this. During the continuance of this crisis and my own stay, I shall avail myself of every private conveyance to keep you informed of what passes. I have the honor to be, with the most perfect esteem and respect, Sir, your most obedient, and most humble servant.

Digitized by Google

TO JOHN JAY.

PARIS, June 29, 1789.

SIR,—My letter of the 25th gave you the transactions of the States General to the afternoon of that day. On the next, the Archbishop of Paris joined the Tiers, as did some others of the Clergy and Noblesse. On the 27th, the question of the St. Domingo deputation came on, and it was decided that it should be received. I have before mentioned to you the ferment into which the proceedings at the *séance royale* of the 23d, had thrown the people. The soldiery also were affected by it. It began in the French guards, extended to those of every other denomination, (except the Swiss) and even to the body guards of the King. They began to quit their barracks, to assemble in squads, to declare they would defend the life of the King, but would not cut the throats of their fellow-citizens. They were treated and caressed by the people, carried in triumph through the streets, called themselves the soldiers of the nation, and left no doubt on which side they would be, in case of a rupture. Similar accounts came in from the troops in other parts of the kingdom, as well those which had not heard of the *séance royale*, as those which had, and gave good reason to apprehend that the soldiery, in general, would side with their fathers and brothers, rather than with their officers. The operation of this medicine, at Versailles, was as sudden as it was

Digitized by Google

powerful. The alarm there was so complete, that in the afternoon of the 27th, the King wrote a letter to the President of the Clergy, the Cardinal de La Rochefoucault, in these words:[1]

"My Cousin,—Wholly engaged in promoting the general good of my kingdom, and desirous, above all things, that the Assembly of the States General should apply themselves to objects of general interest, after the voluntary acceptance by your order of my declaration of the 23d of the present month; I pass my word that my faithful Clergy will, without delay, unite themselves with the other two orders, to hasten the accomplishment of my paternal views. Those, whose powers are too limited, may decline voting until new powers are procured. This will be a new mark of attachment which my Clergy will give me. I pray God, my Cousin, to have you in his holy keeping. Louis."

A like letter was written to the Duke de Luxemburgh, President of the Noblesse. The two chambers entered into debate on the question, whether they should obey the letter of the King. There was a considerable opposition; when notes written by the Count d'Artois to sundry members, and handed about among the rest, decided the matter, and they went in a body and took their seats with the Tiers, and thus rendered the union of the orders in one chamber complete. As soon as

[1 The following is a literal translation of the King's letter.]

Digitized by Google

this was known to the people of Versailles, they assembled about the palace, demanded the King and Queen, who came and showed themselves in a balcony. They rent the skies with cries of "*vive le roy*," "*vive la reine*." They called for the Dauphin, who was also produced, and was the subject of new acclamations. After feasting themselves and the royal family with this tumultuary reconciliation, they went to the house of Mr. Neckar and M. de Montmorin, with shouts of thankfulness and affection. Similar emotions of joy took place in Paris, and at this moment, the triumph of the Tiers is considered as complete. To-morrow they will recommence business, voting by persons on all questions; and whatever difficulties may be opposed in debate by the malcontents of the Clergy and Nobility, everything must be finally settled at the will of the Tiers. It remains to see whether they will leave to the Nobility anything but their titulary appellations. I suppose they will not. Mr. Neckar will probably remain in office. It would seem natural that he should endeavor to have the hostile part of the Council removed, but I question if he finds himself firm enough for that. A perfect co-operation with the Tiers will be his wisest game. This great crisis being now over, I shall not have matter interesting enough to trouble you with, as often as I have done lately. There has nothing remarkable taken place in any other part of Europe. I have the honor to be, with the most perfect esteem and respect, Sir, your most obedient, and most humble servant.

Digitized by Google

TO THE MARQUIS DE LA FAYETTE.

PARIS, July 6, 1789.

DEAR SIR,—I never made an offer to anybody, to have corn or flour brought here, from America; no such idea ever entered my head. Mr. Neckar desired me to give information in America, that there would be a want of flour. I did so in a letter to Mr. Jay, which he published with my name to it, for the encouragement of the merchants. Those here, who have named me on this subject, must have mistaken me for Mr. Parker. I have heard him say, he offered Mr. Neckar to bring a large supply, yet I do not think I ever repeated this; or if I did, it must have been in a company I relied on. I will thank you to satisfy Mr. Neckar of the truth. It would be disagreeable, and perhaps mischievous, were he to have an idea that I encouraged censures on him. I will bring you the paper you desire to-morrow; and shall dine at the Duchess Danville's, where I shall be happy to meet you. Adieu. Yours affectionately.

TO THE MARQUIS DE LA FAYETTE

PARIS, July 7, 1789.

DEAR SIR,—Your letter of yesterday gave me the first information that Monsieur de Mirabeau had suggested to the honorable the Assembly of the Nation, that I had made an offer to Mr. Neckar, to obtain from America a quantity of corn or flour,

Digitized by Google

which had been refused. I know not how Monsieur de Mirabeau has been led into this error. I never in my life made any proposition to Mr. Neckar on the subject; I never said I had made such a proposition. Some time last autumn, Mr. Neckar did me the honor to desire I would have notified in the United States, that corn and flour would meet with a good sale in France. I conveyed this notice, in a letter to Mr. Jay, Secretary for Foreign Affairs, as you will see by the extract of my letter published by him in an American gazette, which I have the honor to send you. I must beg leave to avail myself of your friendship and of your position, to have a communication of these facts made to the honorable Assembly of the Nation, of which you are a member, and to repeat to you those sentiments of respect and attachment, with which I have the honor to be, my dear Sir, your must obedient, and most humble servant.

TO MONSIEUR NECKER.

PARIS, July 8, 1789.

SIR,—I have the honor to enclose you a copy of my letter to Monsieur de La Fayette. When I called on him yesterday, he had already spoken to Monsieur de Mirabeau, who acknowledged he had been in an error in what he had advanced in the Assembly of the Nation, as to the proposition supposed to have been made by me to your Excellency,

Digitized by Google

and undertook to declare his error, when the subject should be resumed by the Assembly, to whom my letter to the Marquis de La Fayette will be also read.

I have thought it a duty, Sir, thus to correct in the first moment, an error, by which your name had been compromitted by an unfounded use of mine, and shall be happy in every occasion of proving to you those sentiments of profound respect and attachment with which I have the honor to be, your Excellency's most obedient, and most humble servant.

TO THE COUNT DE MONTMORIN.

PARIS, July 8, 1789.

SIR,—My hotel having been lately robbed for the third time, I take the liberty of uniting my wish with that of the inhabitants of this quarter, that it might coincide with the arrangements of police, to extend to us the protection of a guard. While the Douane remained here, no accident of that kind happened, but since their removal, other houses in the neighborhood have been robbed, as well as mine. Perhaps it may lessen the difficulties of this request, that the house occupied by the people of the Douane, will lodge abundantly a *corps de garde*. On the one side of that house is Chaillot, on the other the Roule, on the third the Champs Elysées, where accidents are said to happen very frequently, all of which are very distant from any *corps de garde*.

I have the honor to be, with sentiments of the

Digitized by Google

most perfect respect and esteem, your Excellency's most obedient, and most humble servant.

TO THE MARQUIS DE LA FAYETTE.

PARIS, July 9, 1789.

DEAR SIR,—Having been curious to form some estimate of the quantity of corn and flour, which have been supplied to France this year, I applied to a person in the Farms, to know upon what quantities the premium had been paid. He could not give me information, but as to the *Atlantic* ports, into which there have been imported from the United States, from March to May inclusive, forty-four thousand one hundred and sixteen quintals of corn, twelve thousand two hundred and twenty-one quintals of flour, making fifty-six thousand three hundred and thirty-seven quintals, in the whole. Add to this, what has been imported since May, suppose nearly twenty thousand quintals a month, and what has been furnished to the French islands, which has prevented an equal quantity being exported from France, and you will have the proportion drawn from us. Observe, that we have regular and constant markets for corn and flour, in Spain, Portugal, and all the West India islands, except the French. These take nearly our whole quantity. This year, France, the French West Indies and Canada were added. But a regular course of trade is not quitted in an instant, nor constant customers de-

Digitized by Google

serted for accidental ones. This is the reason that so small a proportion has come here. I am, dear Sir, with great sincerity, your affectionate friend and servant.

TO THE MARQUIS DE LA FAYETTE.

PARIS, July 10, 1789.

DEAR SIR,—The acknowledgment by Monsieur de Mirabeau to the National Assembly, that he had been in an error as to the offer he supposed me to have made, and the reading to them my letter, seem to be all that was requisite for any just purpose. As I was unwilling my name should be used to injure the minister, I am also unwilling it should be used to injure Monsieur de Mirabeau. I learn that his enemies in Paris are framing scandalous versions of my letter. I think, therefore, with you, it may be better to print it, and I send you a copy of it. I gave copies of it to Monsieur de Montmorin and Monsieur Neckar, as was my duty.

I am, with sincere affection, my dear Sir, your friend and servant.

TO THOMAS PAINE.

PARIS, July 11, 1789.

DEAR SIR,—Since my last, which was of May the 19th, I have received yours of June the 17th and 18th. I am struck with the idea of the geometrical

Digitized by Google

wheelbarrow, and will beg of you a farther account, if it can be obtained. I have no news yet of my *congé*.

Though you have doubtless heard most of the proceedings of the States General since my last, I will take up the narration where that left it, that you may be able to separate the true from the false accounts you have heard. A good part of what was conjectured in that letter, is now become true history. * * * * * * * * * * * * The *National Assembly* then (for that is the name they take), having shown through every stage of these transactions a coolness, wisdom, and resolution to set fire to the four corners of the kingdom and to perish with it themselves, rather than to relinquish an iota from their plan of a total change of government, are now in complete and undisputed possession of the sovereignty. The executive and aristocracy are at their feet; the mass of the nation, the mass of the clergy, and the army are with them; they have prostrated the old government, and are now beginning to build one from the foundation. A committee, charged with the arrangement of their business, gave in, two days ago, the following order of proceedings.

"1. Every government should have for its only end, the preservation of the rights of man; whence it follows, that to recall constantly the government to the end proposed, the constitution should begin by a declaration of the natural and imprescriptible rights of man.

Digitized by Google

"2. Monarchical government being proper to maintain those rights, it has been chosen by the French nation. It suits especially a great society; it is necessary for the happiness of France. The declaration of the principles of this government, then, should follow immediately the declaration of the rights of man.

"3. It results from the principles of monarchy, that the nation, to assure its own rights, has yielded particular rights to the monarch; the constitution, then, should declare, in a precise manner, the rights of both. It should begin by declaring the rights of the French nation, and then it should declare the rights of the King.

"4. The rights of the King and nation not existing but for the happiness of the individuals who compose it, they lead to an examination of the rights of citizens.

"5. The French nation not being capable of assembling individually, to exercise all its rights, it ought to be represented. It is necessary, then, to declare the form of its representation and the rights of its representatives.

"6. From the union of the powers of the nation and King, should result the enacting and execution of the laws; thus, then, it should first be determined how the laws shall be established, afterwards should be considered, how they shall be executed.

"7. Laws have for their object the general administration of the kingdom, the property and the

Digitized by Google

actions of the citizens. The execution of the laws which concern the general administration, requires Provincial and Municipal Assemblies. It is necessary to examine, therefore, what should be the organization of the Provincial Assemblies, and what of the Municipal.

"8. The execution of the laws which concern the property and actions of the citizens, call for the judiciary power. It should be determined how that should be confided, and then its duties and limits.

"9. For the execution of the laws and the defence of the kingdom, there exists a public force. It is necessary, then, to determine the principles which should direct it, and how it should be employed.

"*Recapitulation.*

"Declaration of the rights of man. Principles of the monarchy. Rights of the nation. Rights of the King. Rights of the citizens.

"Organization and rights of the National Assembly. Forms necessary for the enaction of laws. Organization and functions of the Provincial and Municipal Assemblies. Duties and limits of the judiciary power. Functions and duties of the military power."

You see that these are the materials of a superb edifice, and the hands which have prepared them, are perfectly capable of putting them together, and of filling up the work of which these are only the outlines. While there are some men among them

Digitized by Google

of very superior abilities, the mass possess such a degree of good sense, as enables them to decide well. I have always been afraid their numbers might lead to confusion. Twelve hundred men in one room are too many. I have still that fear. Another apprehension is, that a majority cannot be induced to adopt the trial by jury; and I consider that as the only anchor ever yet imagined by man, by which a government can be held to the principles of its constitution. Mr. Paradise is the bearer of this letter. He can supply those details which it would be too tedious to write.

I am, with great esteem, dear Sir, your friend and servant.

TO MR. MASON.

PARIS, July 16, 1789.

SIR,—I am honored with your favor of the 11th, and sincerely thank you for the offer of your ship, which I would certainly have embraced, had I been at liberty to go. But I have not yet received permission, and must await that. I beg you to remember me in the most friendly terms to your father. I have put off answering his letter because I expected constantly to make my voyage to America and to see him at his own house.

Great events have taken place here within these few days. The change of the ministry and the tumult of Paris consequent on that, you will have

Digitized by Google

heard of. Yesterday the King went without any cortege but his two brothers to the States General, and spoke to them in very honest and conciliatory terms; such as in my opinion amounts to a surrender at discretion. The temper of the city is too much heated at present to view them in that light, and, therefore, they keep on the watch, and go on in organizing their armed Bourgeoise. But I have not a single doubt of the sincerity of the King, and there will not be another disagreeable act from him. He has promised to send away the troops.

I am with great esteem, Sir, your most obedient, and most humble servant.

TO JOHN JAY.

PARIS, July 19, 1789.

DEAR SIR,—I am become very uneasy, lest you should have adopted some channel for the conveyance of your letters to me, which is unfaithful. I have none from you of later date than November the 25th, 1788, and of consequence, no acknowledgment of the receipt of any of mine, since that of August the 11th, 1788. Since that period, I have written to you of the following dates. 1788. August the 20th, September the 3d, 5th, 24th, November the 14th, 19th, 29th. 1789. January the 11th, 14th, 21st, February the 4th, March the 1st, 12th, 14th, 15th, May the 9th, 11th, 12th, June the 17th, 24th, 29th. I know, through another person, that you

Digitized by Google

have received mine of November the 29th, and that you have written an answer; but I have never received the answer, and it is this which suggests to me the fear of some general source of miscarriage.

The capture of three French merchant ships by the Algerines, under different pretexts, has produced great sensation in the seaports of this country, and some in its government. They have ordered some frigates to be armed at Toulon to punish them. There is a possibility that this circumstance, if not too soon set to rights by the Algerines, may furnish occasion to the States General, when they shall have leisure to attend to matters of this kind, to disavow any future tributary treaty with them. These pirates respect still less their treaty with Spain, and treat the Spaniards with an insolence greater than was usual before the treaty.

The scarcity of bread begins to lessen in the southern parts of France, where the harvest has commenced. Here it is still threatening, because we have yet three weeks to the beginning of harvest, and I think there has not been three days' provision beforehand in Paris, for two or three weeks past. Monsieur de Mirabeau, who is very hostile to Mr. Neckar, wished to find a ground for censuring him, in a proposition to have a great quantity of flour furnished from the United States, which he supposed me to have made to Mr. Neckar, and to have been refused by him; and he asked time of the States General to furnish proofs. The Marquis de

Digitized by Google

La Fayette immediately gave me notice of this matter, and I wrote him a letter to disavow having ever made any such proposition to Mr. Neckar, which I desired him to communicate to the States. I waited immediately on Mr. Neckar and Monsieur de Montmorin, satisfied them that what had been suggested was absolutely without foundation from me; and, indeed, they had not needed this testimony. I gave them copies of my letter to the Marquis de La Fayette, which was afterwards printed. The Marquis, on the receipt of my letter, showed it to Mirabeau, who turned then to a paper from which he had drawn his information, and found he had totally mistaken it. He promised immediately that he would himself declare his error to the States General, and read to them my letter, which he did. I state this matter to you, though of little consequence in itself, because it might go to you misstated in the English papers.

Our supplies to the Atlantic ports of France, during the months of March, April and May, were only twelve thousand two hundred and twenty quintals, thirty-three pounds of flour, and forty-four thousand one hundred and fifteen quintals, forty pounds of wheat, in twenty-one vessels.

My letter of the 29th of June, brought down the proceedings of the States and government to the re-union of the orders, which took place on the 27th. Within the Assembly, matters went on well. But it was soon observed, that troops, and particularly the foreign troops, were on their march towards Paris

Digitized by Google

from various quarters, and that this was against the opinion of Mr. Neckar. The King was probably advised to this, under pretext of preserving peace in Paris and Versailles, and saw nothing else in the measure. That his advisers are supposed to have had in view, when he should be secured and inspirited by the presence of the troops, to take advantage of some favorable moment, and surprise him into an act of authority for establishing the declaration of the 23d of June, and perhaps dispersing the States General, is probable. The Marshal de Broglio was appointed to command all the troops within the isle of France, a high flying aristocrat, cool and capable of everything. Some of the French guards were soon arrested under other pretexts, but in reality, on account of their dispositions in favor of the national cause. The people of Paris forced the prison, released them, and sent a deputation to the States General, to solicit a pardon. The States, by a most moderate and prudent Arreté, recommended these prisoners to the King, and peace to the people of Paris. Addresses came in to them from several of the great cities, expressing sincere allegiance to the King, but a determined resolution to support the States General. On the 8th of July, they voted an address to the King to remove the troops. This[1] piece of masculine eloquence, written by Monsieur de Mirabeau, is worth attention on account of the bold matter it expresses and discovers through the

[1] See the paper called Point du Jour, No. 23.

Digitized by Google

whole. The King refused to remove the troops, and said they might remove themselves, if they pleased, to Noyons or Soissons. They proceeded to fix the order in which they will take up the several branches of their future constitution, from which it appears, they mean to build it from the bottom, confining themselves to nothing in their ancient form, but a King. A declaration of rights, which forms the first chapter of their work, was then proposed by the Marquis de La Fayette. This was on the 11th. In the meantime, troops, to the number of about twenty-five or thirty thousand, had arrived, and were posted in and between Paris and Versailles. The bridges and passes were guarded. At three o'clock in the afternoon, the Count de La Luzerne was sent to notify Mr. Neckar of his dismission, and to enjoin him to retire instantly, without saying a word of it to anybody. He went home, dined, proposed to his wife a visit to a friend, but went in fact to his country-house at St. Ouen, and at midnight, set out from thence, as is supposed, for Brussels. This was not known till the next day, when the whole ministry was changed, except Villedeuil, of the domestic department, and Barentin, Garde des Sceaux. These changes were as follows: the Baron de Breteuil, President of the Council of Finance; and de La Galaisiere, Comptroller General in the room of Mr. Neckar; the Marshal de Broglio, minister of war, and Foulon under him, in the room of Puy-Segur; Monsieur de La Vauguyon, minister of

Digitized by Google

foreign affairs, instead of Monsieur de Montmorin; de La Porte, minister of marine, in place of the Count de La Luzerne; St. Priest was also removed from the Council. It is to be observed, that Luzerne and Puy-Segur had been strongly of the aristocratical party in Council; but they were not considered as equal to bear their shares in the work now to be done. For this change, however sudden it may have been in the mind of the King, was, in that of his advisers, only one chapter of a great plan, of which the bringing together the foreign troops had been the first. He was now completely in the hands of men, the principal among whom, had been noted through their lives, for the Turkish despotism of their characters, and who were associated about the King, as proper instruments for what was to be executed. The news of this change began to be known in Paris about one or two o'clock. In the afternoon, a body of about one hundred German cavalry were advanced and drawn up in the Place Louis XV. and about two hundred Swiss posted at a little distance in their rear. This drew the people to that spot, who naturally formed themselves in front of the troops, at first merely to look at them. But as their numbers increased their indignation arose; they retired a few steps, posted themselves on and behind large piles of loose stone, collected in that place for a bridge adjacent to it, and attacked the horse with stones. The horse charged, but the advantageous position of the people, and the showers of stones,

Digitized by Google

obliged them to retire, and even to quit the field altogether, leaving one of their number on the ground. The Swiss in their rear were observed never to stir. This was the signal for universal insurrection, and this body of cavalry, to avoid being massacred, retired towards Versailles. The people now armed themselves with such weapons as they could find in armorers' shops and private houses, and with bludgeons, and were roaming all night through all parts of the city, without any decided practicable object. The next day, the States pressed on the King to send away the troops, to permit the Bourgeoise of Paris to arm for the preservation of order in the city, and offered to send a deputation from their body to tranquillize them. He refused all their propositions. A committee of magistrates and electors of the city were appointed by their bodies, to take upon them its government. The mob, now openly joined by the French guards, forced the prison of St. Lazare, released all the prisoners, and took a great store of corn, which they carried to the corn market. Here they got some arms, and the French guards began to form and train them. The committee determined to raise forty-eight thousand Bourgeoise, or rather to restrain their numbers to forty-eight thousand. On the 14th, they sent one of their members (Monsieur de Corny, whom we knew in America) to the Hotel des Invalides, to ask arms for their Garde Bourgeoise. He was followed by, or he found there, a great mob. The Governor of the Invalides came out, and repre-

Digitized by Google

sented the impossibility of his delivering arms, without the orders of those from whom he received them. De Corny advised the people then to retire, and retired himself; and the people took possession of the arms. It was remarkable, that not only the Invalides themselves made no opposition, but that a body of five thousand foreign troops, encamped within four hundred yards, never stirred. Monsieur de Corny and five others were then sent to ask arms of Monsieur de Launai, Governor of the Bastile. They found a great collection of people already before the place, and they immediately planted a flag of truce, which was answered by a like flag hoisted on the parapet. The deputation prevailed on the people to fall back a little, advanced themselves to make their demand of the Governor, and in that instant a discharge from the Bastile killed four people of those nearest to the deputies. The deputies retired; the people rushed against the place, and almost in an instant were in possession of a fortification, defended by one hundred men, of infinite strength, which in other times had stood several regular sieges, and had never been taken. How they got in, has, as yet, been impossible to discover. Those who pretend to have been of the party tell so many different stories, as to destroy the credit of them all. They took all the arms, discharged the prisoners, and such of the garrison as were not killed in the first moment of fury, carried the Governor and Lieutenant Governor to the Gréve, (the place of

Digitized by Google

public execution,) cut off their heads, and sent them through the city in triumph to the Palais Royal. About the same instant, a treacherous correspondence having been discovered in Monsieur de Flesselles, Prevost des Marchands, they seized him in the Hotel de Ville, where he was in the exercise of his office, and cut off his head. These events, carried imperfectly to Versailles, were the subject of two successive deputations from the States to the King, to both of which he gave dry and hard answers; for it has transpired, that it had been proposed and agitated in Council, to seize on the principal members of the States General, to march the whole army down upon Paris, and to suppress its tumults by the sword. But at night, the Duke de Liancourt forced his way into the King's bed chamber, and obliged him to hear a full and animated detail of the disasters of the day in Paris. He went to bed deeply impressed The decapitation of de Launai worked powerfully through the night on the whole aristocratical party, insomuch, that in the morning, those of the greatest influence on the Count d'Artois, represented to him the absolute necessity that the King should give up everything to the States. This according well enough with the dispositions of the King, he went about eleven o'clock, accompanied only by his brothers, to the States General, and there read to them a speech, in which he asked their interposition to re-establish order. Though this be couched in terms of some caution, yet the manner in which it

Digitized by Google

was delivered, made it evident that it was meant as a surrender at discretion. He returned to the château a foot, accompanied by the States. They sent off a deputation, the Marquis de La Fayette at their head, to quiet Paris. He had, the same morning, been named Commandant-in-Chief of the Milice Bourgeoise, and Monsieur Bailly, former President of the States General, was called for as Prevost des Marchands. The demolition of the Bastile was now ordered, and begun. A body of the Swiss guards of the regiment of Ventimille, and the city horse guards, joined the people. The alarm at Versailles increased instead of abating. They believed that the aristocrats of Paris were under pillage and carnage, that one hundred and fifty thousand men were in arms, coming to Versailles to massacre the royal family, the court, the ministers, and all connected with them, their practices and principles. The aristocrats of the Nobles and Clergy in the States General, vied with each other in declaring how sincerely they were converted to the justice of voting by persons, and how determined to go with the nation all its lengths. The foreign troops were ordered off instantly. Every minister resigned. The King confirmed Bailly as Prevost des Marchands, wrote to Mr. Neckar to recall him, sent his letter open to the States General, to be forwarded by them, and invited them to go with him to Paris the next day, to satisfy the city of his dispositions; and that night and the next morning, the Count d'Artois and Mon-

Digitized by Google

sieur de Montisson (a deputy connected with him), Madame de Polignac, Madame de Guiche, and the Count de Vaudreuil, favorites of the Queen, the Abbé de Vermont, her confessor, the Prince of Condé and Duke de Bourbon, all fled; we know not whither. The King came to Paris, leaving the Queen in consternation for his return. Omitting the less important figures of the procession, I will only observe, that the King's carriage was in the centre, on each side of it the States General, in two ranks, a foot, and at their head the Marquis de La Fayette, as Commander-in-Chief, on horseback, and Bourgeoise guards before and behind. About sixty thousand citizens of all forms and colors, armed with the muskets of the Bastile and Invalides, as far as they would go, the rest with pistols, swords, pikes, pruning hooks, scythes, etc., lined all the streets through which the procession passed, and, with the crowds of people in the streets, doors and windows, saluted them everywhere with cries of "*vive la nation;*" but not a single "*vive le roy*" was heard. The King stopped at the Hotel de Ville. There Monsieur Bailly presented and put into his hat the popular cockade, and addressed him. The King being unprepared and unable to answer, Bailly went to him, gathered from him some scraps of sentences, and made out an answer, which he delivered to the andience as from the King. On their return, the popular cries were "*vive le roy et la nation.*" He was conducted by a Garde Bourgeoise to his palace at

Digitized by Google

Versailles, and thus concluded such an *amende honorable*, as no sovereign ever made, and no people ever received. Letters written with his own hand to the Marquis de La Fayette, remove the scruples of his position. Tranquillity is now restored to the capital: the shops are again opened; the people resuming their labors, and if the want of bread does not disturb our peace, we may hope a continuance of it. The demolition of the Bastile is going on, and the Milice Bourgeoise organizing and training. The ancient police of the city is abolished by the authority of the people, the introduction of the King's troops will probably be proscribed, and a watch or city guards substituted, which shall depend on the city alone. But we cannot suppose this paroxysm confined to Paris alone. The whole country must pass successively through it, and happy if they get through it as soon and as well as Paris has done.

I went yesterday to Versailles, to satisfy myself what had passed there; for nothing can be believed but what one sees, or has from an eye witness. They believe there still, that three thousand people have fallen victims to the tumults of Paris. Mr. Short and myself have been every day among them, in order to be sure what was passing. We cannot find, with certainty, that anybody has been killed but the three before mentioned, and those who fell in the assault or defence of the Bastile. How many of the garrison were killed, nobody pretends to have ever heard. Of the assailants, accounts vary from

Digitized by Google

six to six hundred. The most general belief is, that there fell about thirty. There have been many reports of instantaneous executions by the mob, on such of their body as they caught in acts of theft or robbery. Some of these may perhaps be true. There was a severity of honesty observed, of which no example has been known. Bags of money offered on various occasions through fear or guilt, have been uniformly refused by the mobs. The churches are now occupied in singing "*De profundis*" and "*Requiems*" "for the repose of the souls of the brave and valiant citizens who have sealed with their blood the liberty of the nation." Monsieur de Montmorin is this day replaced in the department of foreign affairs, and Monsieur de St. Priest is named to the home department. The gazettes of France and Leyden accompany this. I send, also, a paper (called the Point du Jour), which will give you some idea of the proceedings of the National Assembly. It is but an indifferent thing; however, it is the best.

I have the honor to be, with great esteem and respect, Sir, your most obedient, and most humble servant.

P. S. *July* 21. Mr. Neckar had left Brussels for Frankfort, before the courier got there. We expect, however, to hear of him in a day or two. Monsieur le Comte de La Luzerne has resumed the department of the marine this day. Either this is an office of

Digitized by Google

friendship effected by Monsieur de Montmorin, (for though they had taken different sides, their friendship continued,) or he comes in as a stop-gap, till somebody else can be found. Though very unequal to his office, all agree that he is an honest man. The Count d'Artois was at Valenciennes. The Prince of Condé and Duke de Bourbon had passed that place.

TO M. L'ABBÉ ARNOUD.

PARIS, July 19, 1789.

DEAR SIR,—The annexed is a catalogue of all the books I recollect on the subject of juries. With respect to the value of this institution, I must make a general observation. We think, in America, that it is necessary to introduce the people into every department of government, as far as they are capable of exercising it; and that this is the only way to insure a long-continued and honest administration of its powers.

1. They are not qualified to exercise themselves the executive department, but they are qualified to name the person who shall exercise it. With us, therefore, they choose this officer every four years. 2. They are not qualified to legislate. With us, therefore, they only choose the legislators. 3. They are not qualified to *judge* questions of *law*, but they are very capable of judging questions of *fact*. In the form of juries, therefore, they determine all

Digitized by Google

matters of fact, leaving to the permanent judges, to decide the law resulting from those facts. But we all know that permanent judges acquire an *Esprit de corps;* that being known, they are liable to be tempted by bribery; that they are misled by favor, by relationship, by a spirit of party, by a devotion to the executive or legislative power; that it is better to leave a cause to the decision of cross and pile, than to that of a judge biased to one side; and that the opinion of twelve honest jurymen gives still a better hope of right, than cross and pile does. It is in the power, therefore, of the juries, if they think permanent judges are under any bias whatever, in any cause, to take on themselves to judge the law as well as the fact. They never exercise this power but when they suspect partiality in the judges; and by the exercise of this power, they have been the firmest bulwarks of English liberty. Were I called upon to decide, whether the people had best be omitted in the legislative or judiciary department, I would say it is better to leave them out of the legislative. The execution of the laws is more important than the making them. However, it is best to have the people in all the three departments, where that is possible.

I write in great haste, my dear Sir, and have, therefore, only time to add wishes for the happiness of your country, to which a new order of things is opening; and assurances of the sincere esteem with which I have the honor to be, dear Sir, your most obedient and humble servant.

Digitized by Google

Books on the subject of Juries.

Complete Juryman, or a compendium of the laws relating to Jurors.
Guide to English Juries.
Hawles' Englishman's Right.
Juror's judges both of law and fact, by Jones.
Security of Englishmen's lives, or the duty of grand juries.
Walwin's Juries Justified.

TO MR. JAMES MADISON.

PARIS, July 22, 1789.

DEAR SIR,—My last to you was of the 18th of June. Within a day or two after, yours of May the 9th came to hand. In the rest of Europe nothing remarkable has happened; but in France such events as will be forever memorable in history. To begin where my last left them, the King took on himself to decide the great question of voting by persons or orders, by a declaration made at a *séance royale* on the 23d of June. In the same declaration he inserted many other things, some good, some bad. The Tiers, undismayed, resolved the whole was a mere nullity, and proceeded as if nothing had happened. The majority of the Clergy joined them, and a small part of the Nobles. The uneasiness produced by the King's declaration occasioned the people to collect about the palace in the evening of the same day.

Digitized by Google

The King and Queen were alarmed and sent for Mr. Neckar. He was conducted to and from the palace amidst the acclamations of the people. The French guards were observed to be mixed in great numbers with the people and to participate of their passions. This made so decisive an impression, that the King on the 27th wrote to the Clergy and Nobles, who had not yet joined the Tiers, recommending to them to go and join them. They did so, and it was imagined all was now settled. It was soon observed, however, that troops, and those the foreign troops, were marching towards Paris from different quarters. The States addressed the King to forbid their approach. He declared it was only to preserve the tranquillity of Paris and Versailles, and I believe he thought so. The command of those troops was given to the Marshal Broglio, and it was observed that the Baron de Breteuil was going daily to Versailles. On the 11th, there being now thirty thousand foreign troops in and between Paris and Versailles, Mr. Neckar was dismissed and ordered to retire privately. The next day the whole ministry was changed except Villedeuil and Barentin. Breteuil, Broglio and Vauguyon were the principal persons named in the new. A body of cavalry were advanced into Paris to awe them. The people attacked and routed them, killing one of the cavalry and losing a French guard. The corps of French guards gathered stronger, followed the cavalry, attacked them in the street, (*the rue basse des ram-*

Digitized by Google

parts,) and killed four. (I did not know this fact with certainty when I wrote to Mr. Jay, it is therefore not in my letter. I since have it from an eye-witness.) The insurrection became now universal. The next day (the 13th) the people forced a prison and took some arms. On the 14th a committee was framed by the city, with powers corresponding to our committees of safety. They resolve to raise a city militia of forty-eight thousand men. The people attack the invalids and get a great store of arms. They then attack and carry the Bastile, cut off the Governor's and Lieutenant-Governor's heads, and that also of the Prevost des Marchand's, discovered in a treacherous correspondence. While these things were doing here, the council is said to have been agitating at Versailles a proposition to arrest a number of the members of the States, to march all the foreign troops against Paris, and suppress the tumult by the sword. But the decapitations being once known there, and that there were fifty or sixty thousand men in arms, the King went to the States, referred everything to them, and ordered away the troops. The City Committee named the Marquis de La Fayette commander-in-chief. They went on organizing their militia, the tumult continued, and a noise spread about Versailles that they were coming to massacre the court, the ministry, etc. Every minister hereupon resigned and fled, the Count d'Artois, Prince of Condé, Duke de Bourbon, the family of Polignacs, the Count de

Digitized by Google

Vaudreuil, Abbé Vermont, confessor of the Queen, and key-stone of all the intrigues, all fled out of the kingdom. The King agreed to recall Mr. Neckar, reappointed Montmorin and St. Priest, friends of Neckar, and came with the States General to Paris to satisfy the city of his dispositions. All the streets through which he passed were lined with Bourgeoise, armed with guns, pistols, pikes, pruning-hooks, scythes, and whatever they could lay hold of, about sixty thousand. The States General on foot on each side of his coach, the Marquis de La Fayette at their head, on horseback. He returned to Versailles in the same order, to the great joy of the remaining courtiers, who feared he would have been detained in Paris. The tumults in the city had pretty well subsided, but to-day they have been revived by a new incident. Foulon, one of the fugitive ministers, was taken in the country, (it is said by his own tenants,) and brought to Paris. Every possible effort of persuasion was exerted in vain to save him. He was forced from the hands of the Gardes Bourgeoises by the mob, was hung, and after severing his head, the body was dragged by the enraged populace through the principal streets of Paris. The Intendant of Paris (de Chauvigny), accused of having been in the plots with the late ministry, and who had fled, was taken at Compiegne, and a party of two hundred militia horse are now gone for him. If they bring him to Paris it will be impossible to save him. Monsieur de La Luzerne was reappointed

Digitized by Google

minister of marine yesterday. Your last letter says nothing of my leave of absence. The season is so far advanced towards the Equinox, that if it comes to hand I shall not leave Europe till that be over. Indeed this scene is too interesting to be left at present. But if the permission does not come in time for my passage in the fall, the necessity of my going is so imperious, that I shall be in a most distressing dilemma.

I am, with sincere esteem and respect, dear Sir, your affectionate friend and servant.

P. S. *July* 23. I just learn that Bretier de Chauvigny was brought to town in the night and massacred immediately.

TO JOHN JAY.

PARIS, July 23, 1789.

SIR,—The bearer of my letters (a servant of Mr. Morris) not going off till to-day, I am enabled to add to their contents. The spirit of tumult seemed to have subsided, when, yesterday, it was excited again, by a particular incident. Monsieur Foulon, one of the obnoxious ministry, who, as well as his brethren, had absconded, was taken in the country, and, as is said, by his own tenants, and brought to Paris. Great efforts were exerted by popular characters, to save him. He was at length forced out of the hands of the Garde Bourgeoise, hung imme-

Digitized by Google

diately, his head cut off, and his body drawn through the principal streets of the city. The Intendant of Paris, Monsieur de Chauvigny, accused of having entered into the designs of the said ministry, has been taken at Compiegne, and a body of two hundred men on horseback have gone for him. If he be brought here, it will be difficult to save him. Indeed, it is hard to say at what distance of time the presence of one of those ministers, or of any of the most obnoxious of the fugitive courtiers, will not rekindle the same blood-thirsty spirit. I hope it is extinguished as to everybody else, and yesterday's example will teach them to keep out of its way. I add two other sheets of the Point du Jour, and am, with the most perfect esteem and respect, Sir, your most obedient, and most humble servant.

P. S. I just now learn that Bertier de Chauvigny was brought to town last night, and massacred immediately.

TO JOHN JAY.

PARIS, July 29, 1789.

SIR,—I have written you lately, on the 24th of June, with a postscript of the 25th; on the 29th of the same month; the 19th of July, with a postscript of the 21st; and again on the 23d. Yesterday I received yours of the 9th of March, by the way of Holland.

Digitized by Google

Mr. Neckar has accepted his appointment, and will arrive to-day from Switzerland, where he had taken refuge. No other ministers have been named since my last. It is thought that Mr. Neckar will choose his own associates. The tranquillity of Paris has not been disturbed since the death of Foulon and Bertier, mentioned in my last. Their militia is in a course of organization. It is impossible to know the exact state of the supplies of bread. We suppose them low and precarious, because, some days, we are allowed to buy but half or three-fourths of the daily allowance of our families. Yet as the wheat harvest must begin within ten days or a fortnight, we are in hopes there will be subsistence found till that time. This is the only source from which I should fear a renewal of the late disorders; for I take for granted, the fugitives from the wrath of their country are all safe in foreign countries. Among these, are numbered seven Princes of the house of Bourbon, and six ministers; the seventh (the Marshal de Broglio), being shut up in the fortified town of Metz, strongly garrisoned with foreign soldiers. I observed to you, in a preceding letter, that the storm which had begun in Paris, on the change of the ministry, would have to pass over the whole country, and consequently would, for a short time, occasion us terrible details from the different parts of it. Among these, you will find a horrid one retailed from Vesoul, in French Compté. The atrociousness of the fact would dispose us rather to

Digitized by Google

doubt the truth of the evidence on which it rests, however regular that appears. There is no question, that a number of people were blown up; but there are reasons for suspecting that it was by accident and not design. It is said the owner of the château sold powder by the pound, which was kept in the cellar of the house blown up; and it is possible, some one of the guests may have taken this occasion to supply himself, and been too careless in approaching the mass. Many idle stories have also been propagated and believed here, against the English, as that they have instigated the late tumults with money, that they had taken or were preparing to take Cherbourg, Brest, etc.; and even reasonable men have believed, or pretended to believe, all these. The British Ambassador has thought it necessary to disavow them in a public letter, which you will find in one of the papers accompanying this.

I have lately had an opportunity of knowing with certainty, the present state of the King of England. His recovery was slow; he passed through a stage of profound melancholy; but this has at length dissipated, and he is at present perfectly re-established. He talks now as much as ever, on the same trifling subjects, and has recovered even his habitual inquisitiveness into the small news of the families about him. His health is also good, though he is not as fleshy as he used to be. I have multiplied my letters to you lately, because the scene has been

Digitized by Google

truly interesting; so much so, that had I received my permission to pay my projected visit to my own country, I should have thought, and should still think it my duty to defer it awhile. I presume it cannot now be long, before I receive your definitive answer to my request. I send herewith the public papers, as usual; and have the honor to be, with the most perfect esteem and respect, Sir, your most obedient, and most humble servant.

TO MR. WILLIAM CARMICHAEL.

PARIS, August 9, 1789.

DEAR SIR,—Since your last of March the 27th, I have only written that of May the 8th. The cause of this long silence, on both parts, has been the expectation I communicated to you of embarking for America. In fact, I have expected permission for this, every hour since the month of March, and, therefore, always thought that by putting off writing to you a few days, my letter, while it should communicate the occurrences of the day, might be a letter of adieu. Should my permission now arrive, I should put off my departure till after the equinox. They write me that my not receiving it, has proceeded from the ceasing of the old government in October last, and the organization of the higher departments in the new, which had not yet taken place when my last letters came away. Bills had been brought in for establishing departments of

Digitized by Google

Foreign Affairs, Finance, and War. The last would certainly be given to General Knox. Mr. Jay would probably have his choice of the first and second; and it is supposed Hamilton would have that which Mr. Jay declined. Some thought Mr. Jay would prefer and obtain the head of the law department, for which Wilson would be a competitor. In such a case, some have supposed C. Thompson would ask the Foreign Affairs. The Senate and Representatives differed about the title of the President. The former wanted to style him "His Highness, George Washington, President of the United States, and Protector of their liberties." The latter insisted and prevailed, to give no title but that of office, to wit, "George Washington, President of the United States." I hope the terms of Excellency, Honor, Worship, Esquire, forever disappear from among us, from that moment: I wish that of Mr. would follow them. In the impost bill, the Representatives had, by almost an unanimous concurrence, made a difference between nations in treaty with us, and those not in treaty. The Senate had struck out this difference and lowered all the duties. Quære, whether the Representatives would yield? Congress were to proceed about the 1st of June to propose amendments to the new Constitution. The principal would be, the annexing a declaration of rights to satisfy the mind of all, on the subject of their liberties. They waited the arrival of Brown, delegate from Kentucky, to take up the receiving that

Digitized by Google

district as a fourteenth State. The only objections apprehended, were from the partisans of Vermont, who might insist on both coming in together. This would produce a delay, though probably not a long one.

To detail to you the events of this country, would require a volume. It would be useless, too; because those given in the Leyden gazette, though not universally true, have so few and such unimportant errors mixed with them, that you may have a general faith in them. I will rather give you, therefore, what that paper cannot give, the views of the prevailing power, as far as they can be collected from conversation and writings. They will distribute the powers of government into three parts, legislative, judiciary, and executive. The legislative will certainly have no hereditary branch, and probably not even a select one (like our Senate). If they divide it into two chambers at all, it will be by breaking the representative body into two equal halves by lot. But very many are for a single House, and particularly the Turgotists. The imperfection of their legislative body, I think, will be, that not a member of it will be chosen by the people directly. Their representation will be an equal one, in which every man will elect and be elected as a citizen, not as of a distinct order. Quære, whether they will elect placemen and pensioners? Their legislature will meet periodically, and sit at their own will, with a power in the executive to call them extraordinarily,

Digitized by Google

in case of emergencies. There is a considerable division of sentiment whether the executive shall have a negative on the laws. I think they will determine to give such a negative, either absolute or qualified. In the judiciary, the parliaments will be suppressed, less numerous judiciary bodies instituted, and trial by jury established in criminal, if not in civil cases. The executive power will be left entire in the hands of the King. They will establish the responsibility of ministers, gifts and appropriations of money by the National Assembly alone; consequently, a civil list, freedom of the press, freedom of religion, freedom of commerce and industry, freedom of person against arbitrary arrests, and modifications, if not a total prohibition of military agency in civil cases. I do not see how they can prohibit altogether the aid of the military in cases of riot, and yet I doubt whether they can descend from the sublimity of ancient military pride, to let a Maréchal of France with his troops, be commanded by a Magistrate. They cannot conceive that General Washington, at the head of his army, during the late war, could have been commanded by a common Constable to go as his *posse comitatus*, to suppress a mob, and that Count Rochambeau, when he was arrested at the head of his army by a sheriff, must have gone to jail if he had not given bail to appear in court. Though they have gone astonishing lengths, they are not yet thus far. It is probable, therefore, that not knowing how to use the military

Digitized by Google

as a civil weapon, they will do too much or too little with it.

I have said that things will be so and so. Understand by this, that these are only my conjectures, the plan of the constitution not being proposed yet, much less agreed to. Tranquillity is pretty well established in the capital; though the appearance of any of the refugees here would endanger it. The Baron de Besenval is kept away; so is M. de la Vauguyon. The latter was so short a time a member of the obnoxious administration, that probably he might not be touched were he here. Seven Princes of the house of Bourbon, and seven ministers, fled into foreign countries, is a wonderful event, indeed.

I have the honor to be, with great respect and attachment, dear Sir, your most obedient, and most humble servant.

TO JOHN JAY.

PARIS, August 27, 1789.

SIR,—I am honored with your favor of June the 19th, informing me that permission is given me to make a short visit to my native country, for which indulgence I beg leave to return my thanks to the President, and to yourself, Sir, for the expedition with which you were so good as to forward it, after it was obtained. Being advised that October is the best month of the autumn for a passage to

Digitized by Google

America, I shall wish to sail about the first of that month; and as I have a family with me, and their baggage is considerable, I must endeavor to find a vessel bound directly for Virginia, if possible.

My last letters to you have been of the 5th and 12th instant. Since these, I received information from our bankers in Holland, that they had money in hand sufficient to answer the demands for the foreign officers, and for the captives; and that moreover, the residue of the bonds of the last loan were engaged. I hereupon wrote to Mr. Grand for an exact estimate of the sum necessary for the officers. He had stated it to me as being forty-five thousand six hundred and fifty-two livres eleven sous six deniers, a year, when I was going to Holland to propose the loan to Mr. Adams, and at that sum, you will see it was stated in the estimate we sent you from Amsterdam. He now informed me it was sixty thousand three hundred and ninety-three livres seventeen sous ten deniers, a year. I called on him for an explanation. He showed me that his first information agreed with the only list of the officers and sums then in his possession, and his last with a new list lately sent from the treasury board in which other officers were set down, who had been omitted in the first. I wrote to our bankers an account of this error, and desired to know whether, after reserving the money necessary for the captives, they were in condition to furnish two hundred and fifty-four thousand livres for the

Digitized by Google

officers. They answered me by sending the money, and the additional sum of twenty-six thousand livres, to complete the business of the medals. I delivered the bills to Messrs. Grand and Company, to negotiate and pay away; and the arrears to the officers to the first day of the present year, are now in a course of payment. While on this subject, I will ask that an order may be forwarded to the bankers in Holland to furnish, and to Mr. Grand to pay, the arrearages which may be due on the first of January next. The money being in hand, it would be a pity that we should fail in payment a single day, merely for want of an order. The bankers further give it as their opinion, that our credit is so much advanced on the exchange of Amsterdam, that we may probably execute any money arrangements we may have occasion for, on this side the water. I have the honor to send you a copy of their letter. They have communicated to me apprehensions, that another house was endeavoring to obtain the business of our government. Knowing of no such endeavors myself, I have assured them that I am a stranger to any applications on the subject. At the same time, I cannot but suspect that this jealousy has been one of the spurs, at least, to the prompt completion of our loan. The spirited proceedings of the new Congress in the business of revenue, has doubtless been the principal one.

An engagement has taken place between the Russian and Swedish fleets in the Baltic, which has been

Digitized by Google

not at all decisive, no ship having been lost on either side. The Swedes claim a victory, because they remained in the field till the Russians quitted it. The latter effected a junction soon after with another part of their fleet, and being now about ten ships strongest, the Swedes retired into port, and it is imagined they will not appear again under so great disparity; so that the campaign by sea is supposed to be finished. Their commerce will be at the mercy of their enemies; but they have put it out of the power of the Russians to send any fleet to the Mediterranean this year.

A revolution has been effected very suddenly in the bishopric of Liege. Their constitution had been changed by force, by the reigning sovereign, about one hundred years ago. This subject had been lately revived and discussed in print. The people were at length excited to assemble tumultuously. They sent for their Prince, who was at his country seat, and required him to come to the town house to hear their grievances. Though in the night, he came instantly, and was obliged to sign a restitution of their ancient constitution, which took place on the spot, and all became quiet without a drop of blood spilt. This fact is worthy notice, only as it shows the progress of the spirit of revolution.

No act of violence has taken place in Paris since my last, except on account of the difference between the French and Swiss guards, which gave rise to occasional single combats, in which five or six were killed.

Digitized by Google

The difference is made up. Some misunderstandings had arisen between the committees of the different districts of Paris, as to the form of the future municipal government. These gave uneasiness for awhile, but have been also reconciled. Still there is such a leaven of fermentation remaining in the body of the people, that acts of violence are always possible, and are quite unpunishable; there being, as yet, no judicature which can venture to act in any case, however small or great. The country is becoming more calm. The embarrassments of the government, for want of money, are extreme. The loan of thirty millions proposed by Mr. Neckar, has not succeeded at all. No taxes are paid. A total stoppage of all payment to the creditors of the State is possible every moment. These form a great mass in the city as well as country, and among the lower class of people, too, who have been used to carry their little savings of their service into the public funds upon life rents of five, ten, twenty guineas a year, and many of whom have no other dependence for daily subsistence. A prodigious number of servants are now also thrown out of employ by domestic reforms, rendered necessary by the late events. Add to this, the want of bread, which is extreme. For several days past, a considerable proportion of the people have been without bread altogether; for though the new harvest is begun, there is neither water nor wind to grind the grain. For some days past the people have besieged the doors of the

Digitized by Google

bakers, scrambled with one another for bread, collected in squads all over the city, and need only some slight incident to lead them to excesses which may end in, nobody can tell what. The danger from the want of bread, however, which is the most imminent, will certainly lessen in a few days. What turn that may take which arises from the want of money, is difficult to be foreseen. Mr. Neckar is totally without influence in the National Assembly, and is, I believe, not satisfied with this want of importance. That Assembly has just finished their bill of rights. The question will then be, whether to take up first the constitution or the business of finance.

No plan of a constitution has been yet given in. But I can state to you the outlines of what the leading members have in contemplation. The executive power in a hereditary King, with power of dissolving the legislature, and a negative on their laws; his authority in forming treaties to be greatly restrained. The legislative to be a single House of representatives, chosen for two or three years. They propose a body whom they call a Senate, to be chosen by the Provincial Assemblies, as our federal Senate is, but with no power of negativing or amending laws; they may only remonstrate on them to the representatives, who will decide by a simple majority the ultimate event of the law. This body will, therefore, be a mere council of revision. It is proposed that they shall be of a certain age and property, and be

Digitized by Google

for life. They may make them also their court of impeachment. They will suppress the parliaments, and establish a system of judicature somewhat like that of England, with trial by jury in criminal cases, perhaps also in civil. Each province will have a subordinate provincial government, and the great cities, a municipal one on a free basis. These are the ideas and views of the most distinguished members. But they may suffer great modifications from the Assembly, and the longer the delay, the greater will be the modifications. Considerable interval having taken place since any popular execution, the aristocratic party is raising its head. They are strengthened by a considerable defection from the patriots, in consequence of the general suppression of the abuses of the 4th of August, in which many were interested. Another faction, too, of the most desperate views, has acquired strength in the Assembly, as well as out of it. These wish to dethrone the reigning branch, and transfer the crown to the Duke d'Orleans. The members of this faction are mostly persons of wicked and desperate fortunes, who have nothing at heart but to pillage from the wreck of their country. The Duke himself is as unprincipled as his followers; sunk in debaucheries of the lowest kind, and incapable of quitting them for business; not a fool, yet not head enough to conduct anything. In fact, I suppose him used merely as a tool, because of his immense wealth, and that he acquired a certain degree of popularity

Digitized by Google

by his first opposition to the government, then credited to him as upon virtuous motives. He is certainly borrowing money on a large scale. He is in understanding with the court of London, where he had been long in habits of intimacy. The ministry here are apprehensive, that that ministry will support his designs by war. I have no idea of this, but no doubt, at the same time, that they will furnish him money liberally to aliment a civil war, and prevent the regeneration of this country.

It was suggested to me, some days ago, that the court of Versailles were treating with that of London, for a surrender of their West India possessions, in consideration of a great sum of money to relieve their present distress. Every principle of common sense was in opposition to this fact; yet it was so affirmed as to merit inquiry. I became satisfied the government had never such an idea; but that the story was not without foundation altogether; that something like this was in contemplation between the faction of Orleans and the court of London, as a means of obtaining money from that court. In a conversation with the Count de Montmorin, two days ago, he told me their colonies were speaking a language which gave them uneasiness, and for which there was no foundation. I asked him if he knew anything of what I have just mentioned. He appeared unapprized of it, but to see at once that it would be a probable speculation between two parties circumstanced and principled as those two

Digitized by Google

are. I apologized to him for the inquiries I had made into this business, by observing that it would be much against our interest, that any one power should monopolize all the West India islands. "Parde, assurement," was his answer.

The *emancipation* of their islands is an idea prevailing in the minds of several members of the National Assembly, particularly those most enlightened and most liberal in their views. Such a step by this country would lead to other emancipations or revolutions in the same quarter. I enclose you some papers received from Mr. Carmichael, relative to the capture of one of our vessels by a Morocco cruiser, and restitution by the Emperor. I shall immediately write to M. Chiappe, to express a proper sense of the Emperor's friendly dispositions to us. I forward also the public papers to the present date; and have the honor to be, with sentiments of the most perfect esteem and respect, Sir, your most obedient, and most humble servant.

TO JAMES MADISON.

PARIS, August 28, 1789.

DEAR SIR,—My last to you was of July the 22d. Since that, I have received yours of May the 27th, June 13th and 30th. The tranquillity of the city has not been disturbed since my last. Dissensions between the French and Swiss guards occasioned some private combats, in which five or six were

Digitized by Google

killed. These dissensions are made up. The want of bread for some days past, has greatly endangered the peace of the city. Some get a little, some none at all. The poor are the best served, because they besiege perpetually the doors of the bakers. Notwithstanding this distress, and the palpable importance of the city administration to furnish bread to the city, it was not till yesterday, that general leave was given to the bakers to go into the country and buy flour for themselves as they can. This will soon relieve us, because the wheat harvest is well advanced. Never was there a country where the practice of governing too much, had taken deeper root and done more mischief. Their declaration of rights is finished. If printed in time, I will enclose a copy with this. It is doubtful whether they will now take up the finance or the constitution first. The distress for money endangers everything. No taxes are paid, and no money can be borrowed. Mr. Neckar was yesterday to give in a memoir to the Assembly, on this subject. I think they will give him leave to put into execution any plan he pleases, so as to debarrass themselves of this, and take up that of the constitution. No plan is yet reported; but the leading members (with some small difference of opinion) have in contemplation the following: The executive power in a hereditary King, with a negative on laws, and power to dissolve the legislature; to be considerably restrained in the making of treaties, and limited in his expenses. The

Digitized by Google

legislative is a House of representatives. They propose a Senate also, chosen on the plan of our federal Senate by the Provincial Assemblies, but to be for life, of a certain age (they talk of forty years), and certain wealth (four or five hundred guineas a year), but to have no other power against the laws but to remonstrate against them to the representatives, who will then determine their fate by a simple majority. This, you will readily perceive, is a mere council of revision, like that of New York, which, in order to be something, must form an alliance with the King, to avail themselves of his veto. The alliance will be useful to both, and to the nation. The representatives to be chosen every two or three years. The judiciary system is less prepared than any other part of the plan; however, they will abolish the parliaments, and establish an order of judges and justices, general and provincial, a good deal like ours, with trial by jury in criminal cases certainly, perhaps also in civil. The provinces will have Assemblies for their provincial government, and the cities a municipal body for municipal government, all founded on the basis of popular election. These subordinate governments, though completely dependent on the general one, will be entrusted with almost the whole of the details which our State governments exercise. They will have their own judiciary, final in all but great cases, the executive business will principally pass through their hands, and a certain local legislature will be allowed them,

Digitized by Google

In short, ours has been professedly their model, in which such changes are made as a difference of circumstances rendered necessary, and some others neither necessary nor advantageous, but into which men will ever run, when versed in theory and new in the practice of government, when acquainted with man only as they see him in their books and not in the world. This plan will undoubtedly undergo changes in the Assembly, and the longer it is delayed, the greater will be the changes; for that Assembly, or rather the patriotic part of it, hooped together heretofore by a common enemy, are less compact since their victory. That enemy (the civil and ecclesiastical aristocracy) begins to raise its head. The lees, too, of the patriotic party, of wicked principles and desperate fortunes, hoping to pillage something in the wreck of their country, are attaching themselves to the faction of the Duke of Orleans; that faction is caballing with the populace, and intriguing at London, the Hague, and Berlin, and have evidently in view the transfer of the crown to the Duke of Orleans. He is a man of moderate understanding, of no principle, absorbed in low vice, and incapable of extracting himself from the filth of that, to direct anything else. His name and his money, therefore, are mere tools in the hands of those who are duping him. * * * * * They may produce a temporary confusion, and even a temporary civil war, supported, as they will be, by the money of England; but they cannot have success ultimately.

Digitized by Google

The King, the mass of the substantial people of the whole country, the army, and the influential part of the clergy, form a firm phalanx which must prevail. Should those delays which necessarily attend the deliberations of a body of one thousand two hundred men, give time to this plot to ripen and burst, so as to break up the Assembly before anything definite is done, a constitution, the principles of which are pretty well settled in the minds of the Assembly, will be proposed by the national militia (* * * * *), urged by the individual members of the Assembly, signed by the King, and supported by the nation, to prevail till circumstances shall permit its revision and more regular sanction. This I suppose the *pis aller* of their affairs, while their probable event is a peaceable settlement of them. They fear a war from England, Holland, and Prussia. I think England will give money, but not make war. Holland would soon be a fire, internally, were she to be embroiled in external difficulties. Prussia must know this, and act accordingly.

It is impossible to desire better dispositions towards us than prevail in this Assembly. Our proceedings have been viewed as a model for them on every occasion; and though in the heat of debate, men are generally disposed to contradict every authority urged by their opponents, ours has been treated like that of the Bible, open to explanation, but not to question. I am sorry that in the moment of such a disposition, anything should come from

Digitized by Google

us to check it. The placing them on a mere footing with the English, will have this effect. When of two nations, the one has engaged herself in a ruinous war for us, has spent her blood and money to save us, has opened her bosom to us in peace, and received us almost on the footing of her own citizens, while the other has moved heaven, earth, and hell to exterminate us in war, has insulted us in all her councils in peace, shut her doors to us in every part where her interests would admit it, libelled us in foreign nations, endeavored to poison them against the reception of our most precious commodities; to place these two nations on a footing, is to give a great deal more to one than to the other, if the maxim be true, that to make unequal quantities equal, you must add more to one than the other. To say, in excuse, that gratitude is never to enter into the motives of national conduct, is to revive a principle which has been buried for centuries with its kindred principles of the lawfulness of assassination, poison, perjury, etc. All of these were legitimate principles in the dark ages which intervened between ancient and modern civilization, but exploded and held in just horror in the eighteenth century. I know but one code of morality for men, whether acting singly or collectively. He who says I will be a rogue when I act in company with a hundred others, but an honest man when I act alone, will be believed in the former assertion, but not in the latter. I would say with the poet, "*hic niger*

Digitized by Google

est, hunc tu Romane cavato." If the morality of one man produces a just line of conduct in him, acting individually, why should not the morality of one hundred men produce a just line of conduct in them, acting together? But I indulge myself in these reflections, because my own feelings run me into them; with you they were always acknowledged. Let us hope that our new government will take some other occasions to show, that they mean to proscribe no virtue from the canons of their conduct with other nations. In every other instance, the new government has ushered itself to the world as honest, masculine, and dignified. It has shown genuine dignity, in my opinion, in exploding adulatory titles; they are the offerings of abject baseness, and nourish that degrading vice in the people.

I must now say a word on the declaration of rights, you have been so good as to send me. I like it, as far as it goes; but I should have been for going further. For instance, the following alterations and additions would have pleased me: Article 4. "The people shall not be deprived of their right to speak, to write, or *otherwise* to publish anything but false facts affecting injuriously the life, liberty, property or reputation of others, or affecting the peace of the confederacy with foreign nations. Article 7. All facts put in issue before any judicature, shall be tried by jury, except, 1, in cases of admiralty jurisdiction, wherein a foreigner shall be interested; 2, in cases cognizable before a court martial, concerning

Digitized by Google

only the regular officers and soldiers of the United States, or members of the militia in actual service in time of war or insurrection; and 3, in impeachments allowed by the constitution. Article 8. No person shall be held in confinement more than —— days after he shall have demanded and been refused a writ of habeas corpus by the judge appointed by law, nor more than —— days after such a writ shall have been served on the person holding him in confinement, and no order given on due examination for his remandment or discharge, nor more than —— hours in any place at a greater distance than —— miles from the usual residence of some judge authorized to issue the writ of habeas corpus; nor shall that writ be suspended for any term exceeding one year, nor in any place more than —— miles distant from the State or encampment of enemies or of insurgents. Article 9. Monopolies may be allowed to persons for their own productions in literature, and their own inventions in the arts, for a term not exceeding —— years, but for no longer term, and no other purpose. Article 10. All troops of the United States shall stand *ipso facto* disbanded, at the expiration of the term for which their pay and subsistence shall have been last voted by Congress, and all officers and soldiers, not natives of the United States, shall be incapable of serving in their armies by land, except during a foreign war." These restrictions I think are so guarded, as to hinder evil only. However, if we do not have them now, I have so much confidence

Digitized by Google

in my countrymen, as to be satisfied that we shall have them as soon as the degeneracy of our government shall render them necessary.

I have no certain news of Paul Jones. I understand only, in a general way, that some persecution on the part of his officers occasioned his being called to St. Petersburg, and that though protected against them by the Empress, he is not yet restored to his station. Silas Deane is coming over to finish his days in America, not having one sou to subsist on, elsewhere. He is a wretched monument of the consequences of a departure from right.. I will, before my departure, write Colonel Lee fully the measures I have pursued to procure success in his business, and which as yet offer little hope; and I shall leave it in the hands of Mr. Short to be pursued, if any prospect opens on him. I propose to sail from Havre as soon after the first of October as I can get a vessel; and shall consequently leave this place a week earlier than that. As my daughters will be with me, and their baggage somewhat more than that of mere *voyageures*, I shall endeavor, if possible, to obtain a passage for Virginia directly. Probably I shall be there by the last of November. If my immediate attendance at New York should be requisite for any purpose, I will leave them with a relation near Richmond, and proceed immediately to New York. But as I do not foresee any pressing purpose for that journey immediately on my arrival, and as it will be a great saving of time, to finish at once in Virginia,

Digitized by Google

so as to have no occasion to return there after having once gone to the northward, I expect to proceed to my own house directly. Staying there two months (which I believe will be necessary), and allowing for the time I am on the road, I may expect to be at New York in February, and to embark from thence or some eastern port.

You ask me if I would accept any appointment on that side of the water? You know the circumstances which led me from retirement, step by step, and from one nomination to another, up to the present. My object is a return to the same retirement; whenever, therefore, I quit the present, it will not be to engage in any other office, and most especially any one which would require a constant residence from home. The books I have collected for you will go off for Havre in three or four days, with my baggage. From that port, I shall try to send them by a direct occasion to New York. I am, with great and sincere esteem, dear Sir, your affectionate friend and servant.

P. S. I just now learn that Mr. Neckar proposed yesterday to the National Assembly a loan of eighty millions, on terms more tempting to the lender than the former, and that they approved it, leaving him to arrange the details, in order that they might occupy themselves at once about the constitution.

Digitized by Google

TO JAMES MADISON.

PARIS, September 6, 1789.

DEAR SIR,—I sit down to write to you without knowing by what occasion I shall send my letter. I do it, because a subject comes into my head, which I would wish to develop a little more than is practicable in the hurry of the moment of making up general despatches.

The question, whether one generation of men has a right to bind another, seems never to have been started either on this or our side of the water. Yet it is a question of such consequences as not only to merit decision, but place also among the fundamental principles of every government. The course of reflection in which we are immersed here, on the elementary principles of society, has presented this question to my mind; and that no such obligation can be transmitted, I think very capable of proof. I set out on this ground, which I suppose to be self-evident, that the *earth belongs in usufruct to the living;* that the dead have neither powers nor rights over it. The portion occupied by any individual ceases to be his when himself ceases to be, and reverts to the society. If the society has formed no rules for the appropriation of its lands in severality, it will be taken by the first occupants, and these will generally be the wife and children of the decedent. If they have formed rules of appropriation, those rules may give it to the wife and children, or to some one of

Digitized by Google

them, or to the legatee of the deceased. So they may give it to its creditor. But the child, the legatee or creditor, takes it, not by natural right, but by a law of the society of which he is a member, and to which he is subject. Then, no man can, by *natural right*, oblige the lands he occupied, or the persons who succeed him in that occupation, to the payment of debts contracted by him. For if he could, he might during his own life, eat up the usufruct of the lands for several generations to come; and then the lands would belong to the dead, and not to the living, which is the reverse of our principle.

What is true of every member of the society, individually, is true of them all collectively; since the rights of the whole can be no more than the sum of the rights of the individuals. To keep our ideas clear when applying them to a multitude, let us suppose a whole generation of men to be born on the same day, to attain mature age on the same day, and to die on the same day, leaving a succeeding generation in the moment of attaining their mature age, all together. Let the ripe age be supposed of twenty-one years, and their period of life thirty-four years more, that being the average term given by the bills of mortality to persons of twenty-one years of age. Each successive generation would, in this way, come and go off the stage at a fixed moment, as individuals do now. Then I say, the earth belongs to each of these generations during its course, fully and in its own right. The second generation receives it clear of

Digitized by Google

the debts and incumbrances of the first, the third of the second, and so on. For if the first could charge it with a debt, then the earth would belong to the dead and not to the living generation. Then, no generation can contract debts greater than may be paid during the course of its own existence. At twenty-one years of age, they may bind themselves and their lands for thirty-four years to come; at twenty-two, for thirty-three; at twenty-three, for thirty-two; and at fifty-four, for one year only; because these are the terms of life which remain to them at the respective epochs. But a material difference must be noted, between the succession of an individual and that of a whole generation. Individuals are parts only of a society, subject to the laws of a whole. These laws may appropriate the portion of land occupied by a decedent, to his creditor, rather than to any other, or to his child, on condition he satisfies the creditor. But when a whole generation, that is, the whole society, dies, as in the case we have supposed, and another generation or society succeeds, this forms a whole, and there is no superior who can give their territory to a third society, who may have lent money to their predecessors, beyond their faculties of paying.

What is true of generations succeeding one another at fixed epochs, as has been supposed for clearer conception, is true for those renewed daily, as in the actual course of nature. As a majority of the contracting generation will continue in being thirty-

Digitized by Google

four years, and a new majority will then come into possession, the former may extend their engagement to that term, and no longer. The conclusion then, is, that neither the representatives of a nation, nor the whole nation itself assembled, can validly engage debts beyond what they may pay in their own time, that is to say, within thirty-four years of the date of the engagement.

To render this conclusion palpable, suppose that Louis the XIV. and XV. had contracted debts in the name of the French nation, to the amount of ten thousand milliards, and that the whole had been contracted in Holland. The interest of this sum would be five hundred milliards, which is the whole rent-roll or net proceeds of the territory of France. Must the present generation of men have retired from the territory in which nature produces them, and ceded it to the Dutch creditors? No; they have the same rights over the soil on which they were produced, as the preceding generations had. They derive these rights not from them, but from nature. They, then, and their soil are, by nature, clear of the debts of their predecessors. To present this in another point of view, suppose Louis XV. and his cotemporary generation, had said to the money lenders of Holland, give us money, that we may eat, drink, and be merry in our day; and on condition you will demand no interest till the end of thirty-four years, you shall then, forever after, receive an annual interest of fifteen per cent. The money is lent on these condi-

Digitized by Google

tions, is divided among the people, eaten, drunk, and squandered. Would the present generation be obliged to apply the produce of the earth and of their labor, to replace their dissipations? Not at all.

I suppose that the received opinion, that the public debts of one generation devolve on the next, has been suggested by our seeing, habitually, in private life, that he who succeeds to lands is required to pay the debts of his predecessor; without considering that this requisition is municipal only, not moral, flowing from the will of the society, which has found it convenient to appropriate the lands of a decedent on the condition of a payment of his debts; but that between society and society, or generation and generation, there is no municipal obligation, no umpire but the law of nature.

The interest of the national debt of France being, in fact, but a two thousandth part of its rent-roll, the payment of it is practicable enough; and so becomes a question merely of honor or of expediency. But with respect to future debts, would it not be wise and just for that nation to declare in the constitution they are forming, that neither the legislature nor the nation itself, can validly contract more debt than they may pay within their own age, or within the term of thirty-four years? And that all future contracts shall be deemed void, as to what shall remain unpaid at the end of thirty-four years from their date? This would put the lenders, and the borrow-

Digitized by Google

ers also, on their guard. By reducing, too, the faculty of borrowing within its natural limits, it would bridle the spirit of war, to which too free a course has been procured by the inattention of money lenders to this law of nature, that succeeding generations are not responsible for the preceding.

On similar ground it may be proved, that no society can make a perpetual constitution, or even a perpetual law. The earth belongs always to the living generation: they may manage it, then, and what proceeds from it, as they please, during their usufruct. They are masters, too, of their own persons, and consequently may govern them as they please. But persons and property make the sum of the objects of government. The constitution and the laws of their predecessors are extinguished then, in their natural course, with those whose will gave them being. This could preserve that being, till it ceased to be itself, and no longer. Every constitution, then, and every law, naturally expires at the end of thirty-four years. If it be enforced longer, it is an act of force, and not of right. It may be said, that the succeeding generation exercising, in fact, the power of repeal, this leaves them as free as if the constitution or law had been expressly limited to thirty-four years only. In the first place, this objection admits the right, in proposing an equivalent. But the power of repeal is not an equivalent. It might be, indeed, if every form of government were so perfectly contrived, that the will of the majority

Digitized by Google

could always be obtained, fairly and without impediment. But this is true of no form. The people cannot assemble themselves; their representation is unequal and vicious. Various checks are opposed to every legislative proposition. Factions get possession of the public councils, bribery corrupts them, personal interests lead them astray from the general interests of their constituents; and other impediments arise, so as to prove to every practical man, that a law of limited duration is much more manageable than one which needs a repeal.

This principle, that the earth belongs to the living and not to the dead, is of very extensive application and consequences in every country, and most especially in France. It enters into the resolution of the questions, whether the nation may change the descent of lands holden in tail; whether they may change the appropriation of lands given anciently to the church, to hospitals, colleges, orders of chivalry, and otherwise in perpetuity; whether they may abolish the charges and privileges attached on lands, including the whole catalogue, ecclesiastical and feudal; it goes to hereditary offices, authorities and jurisdictions, to hereditary orders, distinctions and appellations, to perpetual monopolies in commerce, the arts or sciences, with a long train of *et ceteras;* renders the question of reimbursement, a question of generosity and not of right. In all these cases, the legislature of the day could authorize such appropriations and establishments for their own

Digitized by Google

time, but no longer; and the present holders, even where they or their ancestors have purchased, are in the case of *bona fide* purchasers of what the seller had no right to convey.

Turn this subject in your mind, my dear Sir, and particularly as to the power of contracting debts, and develop it with that cogent logic which is so peculiarly yours. Your station in the councils of our country gives you an opportunity of producing it to public consideration, of forcing it into discussion. At first blush it may be laughed at, as the dream of a theorist; but examination will prove it to be solid and salutary. It would furnish matter for a fine preamble to our first law for appropriating the public revenue; and it will exclude, at the threshold of our new government, the ruinous and contagious errors of this quarter of the globe, which have armed despots with means which nature does not sanction, for binding in chains their fellow-men. We have already given, in example, one effectual check to the dog of war, by transferring the power of declaring war from the executive to the legislative body, from those who are to spend, to those who are to pay. I should be pleased to see this second obstacle held out by us also, in the first instance. No nation can make a declaration against the validity of long-contracted debts, so disinterestedly as we, since we do not owe a shilling which will not be paid, principal and interest, by the measures you have taken, within the time of our own lives. I write you no news, because

Digitized by Google

when an occasion occurs, I shall write a separate letter for that.

I am always, with great and sincere esteem, dear Sir, your affectionate friend and servant.

TO DR. GEM.

The hurry in which I wrote my letter to Mr. Madison, which is in your hands, occasioned an inattention to the difference between generations succeeding each other at fixed epochs, and generations renewed daily and hourly. It is true that in the former case, the generation when at twenty-one years of age, may contract a debt for thirty-four years, because a majority of them will live so long. But a generation consisting of all ages, and which legislates by all its members above the age of twenty-one years, cannot contract for so long a time, because their majority will be dead much sooner. Buffon gives us a table of twenty-three thousand nine hundred and ninety-four deaths, stating the ages at which they happened. To draw from these the result I have occasion for, I suppose a society in which twenty-three thousand nine hundred and ninety-four persons are born every year, and live to the age stated in Buffon's table. Then, the following inferences may be drawn. Such a society will consist constantly of six hundred and seventeen thousand seven hundred and three persons, of all ages. Of those living at any one instant of time,

Digitized by Google

one half will be dead in twenty-four years and eight months. In such a society, ten thousand six hundred and seventy-five will arrive every year at the age of twenty-one years complete. It will constantly have three hundred and forty-eight thousand four hundred and seventeen persons of all ages above twenty-one years, and the half of those of twenty-one years and upwards living at any one instant of time, will be dead in eighteen years and eight months, or say nineteen years.

Then, the contracts, constitutions and laws of every such society become void in nineteen years from their date.

TO E. RUTLEDGE.

PARIS, September 18, 1789.

DEAR SIR,—I have duly received your favor by Mr. Cutting, enclosing the paper from Doctor Trumbull, for which I am very thankful. The conjecture that inhabitants may have been carried from the coast of Africa to that of America, by the trade winds, is possible enough; and its probability would be greatly strengthened by ascertaining a similarity of language, which I consider as the strongest of all proofs of consanguinity among nations. Still a question would remain between the red men of the eastern and western sides of the Atlantic, which is the stock, and which the shoot? If a fact be true, which I suspect to be true, that there is a much

Digitized by Google

greater number of radical languages among those of America than among those of the other hemisphere, it would be a proof of superior antiquity, which I can conceive no arguments strong enough to overrule.

When I received your letter, the time of my departure was too near, to permit me to obtain information from Constantinople, relative to the demand and price of rice there. I, therefore, wrote to a merchant at Versailles, concerned in the Levant trade, for the prices current of rice at Constantinople and at Marseilles for several years past. He has sent me only the present price at Marseilles, and that of a particular cargo at Constantinople. I send you a copy of his letter. The Algerines form an obstacle; but the object of our commerce in the Mediterranean is so immense, that we ought to surmount that obstacle, and I believe it could be done by means in our power, and which, instead of fouling us with the dishonorable and criminal baseness of France and England, will place us in the road to respect with all the world.

I have obtained, and enclose to you, a state of all the rice imported into this country in the course of one year, which shows its annual consumption to be between eighty-one and eighty-two thousand quintals. I think you may supplant all the other furnishing States, except as to what is consumed at Marseilles and its neighborhood. In fact, Paris is the place of main consumption. Havre, therefore, is the port of deposit, where you ought to have one or

Digitized by Google

two honest, intelligent and active consignees. The ill success of a first or second experiment should not damp the endeavors to open this market fully, but the obstacles should be forced by perseverance. I have obtained from different quarters seeds of the dry rice; but having had time to try them, I find they will not vegetate, having been too long kept. I have still several other expectations from the East Indies. If this rice be as good, the object of health will render it worth experiment with you. Cotton is a precious resource, and which cannot fail with you. I wish the cargo of olive plants sent by the way of Baltimore, and that which you will perceive my correspondent is preparing now to send, may arrive to you in good order. This is the object for the patriots of your country; for that tree once established there, will be the source of the greatest wealth and happiness. But to insure success, perseverance may be necessary. An essay or two may fail. I think, therefore, that an annual sum should be subscribed, and it need not be a great one. A common country laborer should be engaged to make it his sole occupation, to prepare and pack plants and berries at Marseilles, and in the autumn to go with them himself through the canal of Languedoc to Bordeaux, and there to stay with them till he can put them on board a vessel bound directly for Charleston; and this repeated annually, till you have a sufficient stock insured, to propagate from without further importation. I should guess that fifty guineas a year would

Digitized by Google

do this, and if you think proper to set such a subscription afoot, write me down for ten guineas of the money, yearly, during my stay in France, and offer my superintendence of the business on this side the water, if no better can be had.

Mr. Cutting does full justice to the honorable dispositions of the legislature of South Carolina towards their foreign creditors. None have yet come into the propositions sent to me, except the Van Staphorsts.

The danger of famine here, has not ceased with a plentiful harvest A new and unskilful administration has not yet got into the way of bringing regular supplies to the Capital. We are in danger of hourly insurrection for the want of bread; and an insurrection once begun for that cause, may associate itself with those discontented for other causes, and produce incalculable events. But if the want of bread does not produce a commencement of disorder, I am of opinion the other discontents will be stifled, and a good and free constitution established without opposition. In fact, the mass of the people, the clergy and army (excepting the higher orders of the three bodies), are in as compact an union as can be. The National Assembly have decided that their executive shall be hereditary, and shall have a suspensive negative on the laws; that the legislature shall be of one House, annual in its sessions and biennial in its elections. Their declaration of rights will give you their other general views. I am just

Digitized by Google

on my departure for Virginia, where the arrangement of my affairs will detain me the winter; after which (say in February) I shall go on to New York, to embark from some northern port for France. In the meanwhile and always, I am, with great and sincere esteem, dear Sir, your friend and servant.

TO JOHN JAY.

PARIS, September 19, 1789.

SIR,—I had the honor of addressing you on the 30th of the last month. Since that, I have taken the liberty of consigning to you a box of officer's muskets, containing half a dozen, made by the person and on the plan which I mentioned to you in a letter which I cannot turn to at this moment, but I think it was of the year 1785. A more particular account of them you will find in the enclosed copy of a letter which I have written to General Knox. The box is marked T. J. No. 36, is gone to Havre, and will be forwarded to you by the first vessel bound to New York, by Mr. Nathaniel Cutting, an American gentleman establishing himself there.

Recalling to your mind the account I gave you of the number and size of ships fitted out by the English last year, for the northern whale fishery, and comparing with it what they have fitted out this year, for the same fishery, the comparison will stand thus:

Digitized by Google

Years.	Vessels.	Tons.	Men.
1788.	255	75,436	10,710
1789.	178	51,473	7,476
Difference:	77	23,963	3,234

By which you will perceive, that they have lost a third of that fishery in one year, which I think almost entirely, if not quite, ascribable to the shutting the French ports against their oil. I have no account of their southern fishery of the present year.

As soon as I was informed that our bankers had the money ready for the redemption of our captives, I went to the General of the order of the Holy Trinity, who retained all his dispositions to aid us in that business. Having a very confidential agent at Marseilles, better acquainted than himself with the details, he wrote to him for his opinion and information on the subject. I enclose you a copy of his answer, the original of which was communicated to me. I thereupon have authorized the General to go as far as three thuosand livres a head, for our captives, and for this purpose, to adopt the plan proposed, of sending one of his own religion at our expense, (which will be small,) or any other plan he thinks best. The honesty and goodness of his character places us in safety in his hands. To leave him without any hesitation in engaging himself for such a sum of money, it was necessary to deposit it in a banker's hands here Mr. Grand's were agreeable to him, and I have, therefore, desired our banker at Amsterdam, to remit it here. I do not apprehend, in the progress

Digitized by Google

of the present revolution, anything like a general bankruptcy which should pervade the whole class of bankers. Were such an event to appear imminent, the excessive caution of the house of Grand and Company, establishes it in the general opinion as the last that would give way, and consequently would give time to withdraw this money from their hands. Mr. Short will attend to this, and will withdraw the money on the first well-founded appearance of danger. He has asked me what he shall do with it? Because it is evident, that when Grand can not be trusted, no other individual at Paris can, and a general bankruptcy can only be the effect of such disorders, as would render every private house an insecure deposit. I have not hesitated to say to him, in such an event, "pay it to the government." In this case, it becomes only a change of destination and no loss at all. But this has passed between us for greater caution only, and on the worst case supposable; for though a suspension of payment by government might affect the bankers a little, I doubt if any of them have embarked so much in the hands of government as to endanger failure, and especially as they have had such long warning.

You will have known, that the ordinance passed by M. de Chillon in St. Domingo, for opening ports to our importations in another part of the island, was protested against by Marbois. He had always led the Count de La Luzerne by the nose, while Governor of that island. Marbois' representations, and

Digitized by Google

Luzerne's prepossessions against our trade with their colonies, occasioned him, as minister of that department, not only to reverse the ordinance, but to recall Chillon and send out a successor. Chillon has arrived here, and having rendered himself very popular in the islands, their deputies in the National Assembly have brought the question before them. The Assembly has done nothing more, as yet, than to appoint a committee of inquiry. So much of Chillon's ordinance as admitted the importation of our provisions, is continued for a time. M. de Marbois, too, is recalled, I know not why or how. M. de La Luzerne's conduct will probably come under view only incidentally to the general question urged by the colony deputies, whether they shall not be free in future, to procure provisions where they can procure them cheapest. But the deputies are dis-, posed to treat M. de La Luzerne roughly. This, with the disgrace of his brother, the Bishop de Langres, turned out of the presidentship of the National Assembly, for partiality in office to the aristocratic principles, and the disfavor of the Assembly towards M. de La Luzerne himself, as having been formerly of the *plot* (as they call it) with Breteuil and Broglio, will probably occasion him to be out of office soon.

The Treasury board have no doubt attended to the necessity of giving timely orders for the payment of the February interest at Amsterdam. I am well informed that our credit is now the first at that

Digitized by Google

exchange, (England not borrowing at present). Our five per cent. bonds have risen to ninety-seven and ninety-nine. They have been heretofore at ninety-three. There are, at this time, several companies and individuals here, in England and Holland, negotiating to sell large parcels of our *liquidated debt*. A bargain was concluded by one of these the other day, for six hundred thousand dollars. In the present state of our credit, every dollar of this debt will probably be transferred to Europe within a short time.

September the 20th. The combination of bankers and other ministerial tools, had led me into the error (when I wrote my last letter) into which they had led most people, that the loan lately opened here went on well. The truth is, that very little has been borrowed, perhaps not more than six or eight millions. The King and his ministers were yesterday to carry their plate to the mint. The ladies are giving up their jewels to the National Assembly. A contribution of plate in the time of Louis XV. is said to have carried about eight millions to the treasury. Plate is much more common now, and therefore, if the example prevail now in the same degree it did then, it will produce more. The contribution of jewels will hardly be general, and will be unproductive. Mr. Neckar is, on the 25th, to go to the Assembly, to make some proposition. The hundredth penny is talked of.

The Assembly proceeds slowly in the forming their

Digitized by Google

constitution. The original vice of their numbers causes this, as well as a tumultuous manner of doing business. They have voted that the elections of the legislature shall be biennial; that it shall be of a single body; but they have not yet decided what shall be its number, or whether they shall be all in one room, or in two, (which they call a division into sections). They have determined that the King shall have a *suspensive and iterative veto;* that is, that after negativing a law, it cannot be presented again till after a new election. If he negatives it then, it cannot be presented a third time till after another new election. If it be then presented, he is obliged to pass it. This is perhaps justly considered as a more useful negative than an absolute one, which a King would be afraid to use. Mr. Neckar's influence with the Assembly is nothing at all. Having written to them, by order of the King, on the subject of the veto, before it was decided, they refused to let his letter be read. Again, lately, when they desired the sanction of the King to their proceedings of the fourth of August, he wrote in the King's name a letter to them, remonstrating against an immediate sanction to the whole; but they persisted, and the sanction was given. His disgust at this want of influence, together with the great difficulties of his situation, make it believed that he is desirous of resigning. The public stocks were extremely low the day before yesterday. The *caisse d'escompte* at three thousand six hundred and forty, and the loan of one hundred and

Digitized by Google

twenty-five millions, of 1784, was at fifteen per cent. loss. Yesterday they rose a little.

The sloth of the Assembly (unavoidable from their number) has done the most sensible injury to the public cause. The patience of a people who have less of that quality than any other nation in the world, is worn thread-bare. Time has been given to the aristocrats to recover from their panic, to cabal, to sow dissensions in the Assembly, and distrust out of it. It has been a misfortune, that the King and aristocracy together have not been able to make a sufficient resistance, to hoop the patriots in a compact body. Having no common enemy of such force as to render their union necessary, they have suffered themselves to divide. The Assembly now consists of four distinct parties. 1. The aristocrats, comprehending the higher members of the clergy, military, nobility, and the parliaments of the whole kingdom. This forms a head without a body. 2. The moderate royalists, who wish for a constitution nearly similar to that of England. 3. The republicans, who are willing to let their first magistracy be hereditary, but to make it very subordinate to the legislature, and to have that legislature consist of a single chamber. 4. The faction of Orleans. The second and third descriptions are composed of honest, well-meaning men, differing in opinion only, but both wishing the establishment of as great a degree of liberty as can be preserved. They are considered together as constituting the patriotic part of the Assembly, and they are supported by

Digitized by Google

the soldiery of the army, the soldiery of the clergy, that is to say, the Curés and monks, the dissenters, and part of the nobility which is small, and the substantial Bourgeoise of the whole nation. The part of these collected in the cities, have formed themselves into municipal bodies, have chosen municipal representatives, and have organized an armed corps, considerably more numerous in the whole than the regular army. They have also the ministry, such as it is, and as yet, the King. Were the second and third parties, or rather these sections of the same party, to separate entirely, this great mass of power and wealth would be split, nobody knows how. But I do not think they will separate; because they have the same honest views; because, each being confident of the rectitude of the other, there is no rancor between them; because they retain the desire of coalescing. In order to effect this, they not long ago proposed a conference, and desired it might be at my house, which gave me an opportunity of judging of their views. They discussed together their points of difference for six hours, and in the course of discussion agreed on mutual sacrifices. The effect of this agreement has been considerably defeated by the subsequent proceedings of the Assembly, but I do not know that it has been through any infidelity of the leaders to the compromise they had agreed on. Another powerful bond of union between these two parties, is our friend the Marquis de La Fayette. He left the Assembly while they as yet formed but one

Digitized by Google

party. His attachment to both is equal, and he labors incessantly to keep them together. Should he be obliged to take part against either, it will be against that which shall first pass the Rubicon of reconciliation with the other. I should hope, in this event, that his weight would be sufficient to turn the scale decidedly in favor of the other. His command of the armed militia of Paris (thirty thousand in number, and comprehending the French guards who are five thousand regulars), and his influence with the municipality, would secure their city; and though the armed militia and municipalities of the other cities are in nowise subordinate to those of Paris, yet they look up to them with respect, and look particularly to the Marquis de La Fayette, as leading always to the rights of the people. This turn of things is so probable, that I do not think either section of the patriots will venture on any act, which will place themselves in opposition to him.

This being the face of things, troubled as you will perceive, civil war is much talked of and expected; and this talk and expectation has a tendency to beget it. What are the events which may produce it? 1. The want of bread, were it to produce a commencement of disorder, might ally itself to more permanent causes of discontent, and thus continue the effect beyond its first cause. The scarcity of bread, which continues very great amidst a plenty of corn, is an enigma which can be solved only by observing, that the furnishing the city is in the new municipality,

Digitized by Google

not yet masters of their trade. 2. A public bankruptcy. Great numbers of the lower as well as higher classes of the citizens, depend for subsistence on their property in the public funds. 3. The absconding of the King from Versailles. This has for some time been apprehended as possible. In consequence of this apprehension, a person whose information would have weight, wrote to the Count de Montmorin, adjuring him to prevent it by every possible means, and assuring him that the flight of the King would be the signal of a St. Bartholomew against the aristocrats in Paris, and perhaps through the kingdom. M. de Montmorin showed the letter to the Queen, who assured him solemnly that no such thing was in contemplation. His showing it to the Queen, proves he entertained the same mistrust with the public. It may be asked, what is the Queen disposed to do in the present situation of things? Whatever rage, pride and fear can dictate in a breast which never knew the presence of one moral restraint.

Upon the whole, I do not see it as yet probable that any actual commotion will take place; and if it does take place, I have strong confidence that the patriotic party will hold together, and their party in the nation be what I have described it. In this case, there would be against them the aristocracy and the faction of Orleans. This consists, at this time, of only the Catilines of the Assembly, and some of the lowest description of the mob. Its force, ***within the kingdom***, must depend on how much of this last kind

Digitized by Google

of people it can debauch with money from its present bias to the right cause. This bias is as strong as any one can be, in a class which must accept its bread from him who will give it. Its resources *out of the kingdom* are not known. Without doubt, England will give money to produce and to feed the fire which should consume this country; but it is not probable sne will engage in open war for that. If foreign troops should be furnished, it would be most probably by the King of Prussia, who seems to offer himself as the bull-dog of tyranny to all his neighbors. He might, too, be disturbed by the contagion of the same principles gaining his own subjects, as they have done those of the Austrian Netherlands, Liege, Cologne, and Hesse Cassel. The army of the latter Prince, joining with his subjects, are said to have possessed themselves of the treasures he had amassed by hiring troops to conquer us, and by other iniquities. Fifty-four millions of livres is the sum mentioned. But all these means, external and internal, must prove inadequate to their ultimate object, if the nation be united as it is at present. Expecting within a few days to leave Paris, and that this is my last letter on public subjects, I have indulged myself in giving you a general view of things, as they appear to me at the time of my leaving them. Mr. Short will have the honor of continuing the narration, and of correcting it, where circumstances unknown or unforeseen may give a different turn to events.

I have the honor to be, with sentiments of the

Digitized by Google

most perfect esteem and respect, Sir, your most obedient, and most humble servant.

TO MONSIEUR NECKER.

PARIS, September 26, 1789.

SIR,—I had the honor of waiting on you at Versailles the day before yesterday, in order to present my respects on my departure to America. I was unlucky in the moment, as it was one in which you were gone out.

I wished to have put into your hands, at the same time, the enclosed state of the British northern fishery for the years 1788 and 1789, by which you will see that they have lost in one year one-third of that fishery, the effect, almost solely, of the *Arret* which shut the ports of France to their oils.

I wished also to know, whether, while in America, I could be useful towards encouraging supplies of provision to be brought to this country the ensuing year. I am persuaded a considerable relief to the city of Paris might be obtained, by permitting the importation of salted provisions from the United States. Our salted beef particularly (which, since the war, we have learned to prepare in the Irish manner, so as to be as good as the best of that country), could be sold out to the people of Paris for the half of what they pay for fresh meat. It would seem then, that the laborer paying but half the usual price for his meat, might pay the full price of his bread,

Digitized by Google

and so relieve government from its loss on that article. The interest of the *gabelles* has been an objection, hitherto, to the importation of salted provisions. But that objection is lessened by the reduction of the price of salt, and done away entirely by the desire of the present government to consider the ease and happiness of the people as the first object. In every country as fully peopled as France, it would seem good policy to encourage the employment of its lands in the cultivation of corn, rather than in pasturage, and consequently to encourage the use of all kinds of salted provisions, because they can be imported from other countries. It may be apprehended, that the Parisian, habituated to fresh provision, would not use salted. Then he would not buy them, and of course they would not be brought, so that no harm can be done by the permission. On the contrary, if the people of Paris should readily adopt the use of salted provisions, the good would result which is before mentioned. Salt meat is not as good as fresh for soups, but it gives a higher flavor to the vegetables boiled with it. The experience of a great part of America, which is fed almost entirely on it, proves it to be as wholesome as fresh meat. The sea scurvy, ascribed by some to the use of salt meat, is equally unknown in America as in Europe. It is the want of vegetables at sea which produces the scurvy. I have thus hastily mentioned reasons and objections, to save you the time and trouble of recollecting them. To you, Sir, it suffices, barely to mention

Digitized by Google

them. Mr. Short, Chargé des Affaires for the United States, will have the honor of delivering you this, and of giving you any further details which you may be pleased to require.

I shall hope, on my return in the spring, to find your health re-established, and your mind relieved, by a perfect settlement of the affairs of the nation; and with my felicitations on those accounts, to express to you those sentiments of profound respect and attachment with which I have the honor to be, your Excellency's most obedient, and most humble servant.

TO JOHN JAY.

HAVRE, September 30, 1789.

DEAR SIR,—No convenient ship having offered from any port of France, I have engaged one from London to take me up at Cowes, and am so far on my way thither. She will land me at Norfolk, and as I do not know any service that would be rendered by my repairing immediately to New York, I propose, in order to economize time, to go directly to my own house, get through the business which calls me there, and then repair to New York, where I shall be ready to re-embark for Europe. But should there be any occasion for government to receive any information I can give, immediately on my arrival, I will go to New York on receiving your orders at Richmond. They may probably be there before

Digitized by Google

me, as this goes by Mr. Trumbull, bound directly for New York.

I enclose you herewith the proceedings of the National Assembly on Saturday last, wherein you will perceive that the committee had approved the plan of Mr. Neckar. I can add from other sure information received here, that the Assembly adopted it the same evening. This plan may possibly keep their payments alive t ll their new government gets into motion; though I do not think it very certain. The public stocks lowered so exceedingly the last days of my stay at Paris, that I wrote to our bankers at Amsterdam, to desire they would retain till further orders the thirty thousand guilders, or so much of it as had not yet come on. And as to what might be already coming on, I recommended to Mr. Short to go and take the acceptance himself, and keep the bill in his own hands till the time of payment. He will by that time see what is best to be done with the money.

In taking leave of Monsieur de Montmorin, I asked him whether their West India ports would continue open to us awhile. He said they would be immediately declared open till February, and we may be sure they will be so till the next harvest. He agreed with me, that there would be two or three months' provision for the whole kingdom wanting for the ensuing year. The consumption of bread for the whole kingdom, is two millions of livres tournois a day. The people pay the real price of their bread

Digitized by Google

everywhere, except at Paris and Versailles. There the price is suffered to vary very little as to them, and government pays the difference. It has been supposed that this difference for some time past, has cost a million a week. I thought the occasion favorable to propose to Monsieur de Montmorin the free admission of our salted provisions, observing to him particularly that our salted beef from the Eastern States could be dealt out to the people of Paris for five or six sols the pound, which is but half the common price they pay for fresh beef; that the Parisian paying less for his meat, might pay more for his bread, and so relieve government from its enormous loss on that article. His idea of this resource seemed unfavorable. We talked over the objections of the supposed unhealthiness of that food, its tendency to produce scurvy, the chance of its taking with a people habituated to fresh meat, their comparative qualities of rendering vegetables eatable, and the interests of the gabelles. He concluded with saying the experiment might be tried, and with desiring me to speak with Mr. Neckar. I went to Mr. Neckar, but he had gone to the National Assembly. On my return to Paris, therefore, I wrote to him on the subject, going over the objections which Monsieur de Montmorin had started. Mr. Short was to carry the letter himself, and to pursue the subject.

Having observed that our commerce to Havre is considerably on the increase, and that most of our vessels coming there, and especially those from the

Digitized by Google

eastward, are obliged to make a voyage round to the neighborhood of the Loire and Garonne for salt, a voyage attended with expense, delay, and more risk, I have obtained from the Farmers General, that they shall be supplied from their magazines at Honfleur, opposite to Havre, at a mercantile price. They fix it at present at sixty livres the *muid*, which comes to about fifteen sous, or seven and a half pence sterling our bushel; but it will vary as the price varies at the place from which they bring it. As this will be a great relief to such of our vessels coming to Havre, as might wish to take back salt, it may perhaps be proper to notify it to our merchants. I enclose herewith Mr. Neckar's discourse to the Assembly, which was not printed till I left Paris, and have the honor to be, with sentiments of the most perfect esteem and respect, Sir, your most obedient, and most humble servant.

Digitized by Google

Digitized by Google

THE WRITINGS OF
THOMAS JEFFERSON

Definitive Edition

CONTAINING HIS

AUTOBIOGRAPHY, NOTES ON VIRGINIA, PARLIAMENTARY MANUAL, OFFICIAL PAPERS, MESSAGES AND ADDRESSES, AND OTHER WRITINGS, OFFICIAL AND PRIVATE, NOW COLLECTED AND

PUBLISHED IN THEIR ENTIRETY FOR THE FIRST TIME

INCLUDING

ALL OF THE ORIGINAL MANUSCRIPTS, DEPOSITED IN THE DEPARTMENT OF STATE AND PUBLISHED IN 1853 BY ORDER OF THE JOINT COMMITTEE OF CONGRESS

WITH NUMEROUS ILLUSTRATIONS

AND

A COMPREHENSIVE ANALYTICAL INDEX

ALBERT ELLERY BERGH
EDITOR

VOL. VIII.

ISSUED UNDER THE AUSPICES OF
THE THOMAS JEFFERSON MEMORIAL ASSOCIATION
OF THE UNITED STATES
WASHINGTON, D. C.
1907

Digitized by Google

COPYRIGHT, 1905,
BY
THE THOMAS JEFFERSON MEMORIAL
ASSOCIATION

Digitized by Google

THE STATUTE FOR ESTABLISHING RELIGIOUS FREEDOM.

Jefferson was a political philosopher, and thought far in advance of his time. And yet he differed in one essential particular from the philosophers who do not live to see the triumph of their ideas. He proclaimed great living truths, and then he applied those truths to the questions with which he had to deal. Some have contented themselves with laying down abstract principles, and have not sought to give them vitality in the present day; but Jefferson not only saw the future but he saw the present, and we have this great advantage in the study of the principles of Jefferson, that he gave us those principles embodied in legislation. I have been more and more surprised as I have studied the questions with which we have to deal, to find that there is no subject with which our people grapple to-day that he did not consider in principle. Take the questions that are subjects of controversy and you will find that he stated principles and applied principles at that time that apply to the questions at this time; and to-day we do not have to go beyond his writings to find

Digitized by Google

principles that will solve aright the problems of to-day. He saw great fundamental truths, self-evident truths, if you please; and I am coming to believe that there are not only self-evident truths but that all truth is self-evident—that the best service that a man can render to a truth is to state it so that it can be understood. Jefferson had the power of statement, and he stated the truths so that they could be understood. I do not mean to speak lightly of the work of Jefferson in purchasing the Louisiana territory, but if that territory had not been bought then it would have been bought afterward, for it was there, and it was necessary that it should become United States territory. I cannot believe that the purchase of that land—dull, inanimate matter—can be compared with the proclamation of immortal truth. I place far above any purchase of acres or square miles, the utterance of those truths upon which human liberty must rest. Philosophy is above geography. Jefferson rightly measured his own work when he looked back over a long and eventful life, and, ignoring the foot-hills of honor, saw only the mountain-peaks of service. He gave to us proof that the Bible is right when it fixes service as the measure of greatness. You will remember that when there was a controversy as to which should be greatest in the kingdom of heaven, and the question was brought to the Master, He said: "Let him who would be chiefest among you be the servant of all."

Digitized by Google

So Jefferson, when he looked back over his life, saw, not the things that he had received, but the things that he had given to the world; not the things men had done for him, but the things he had done for mankind.

I have been asked to write about the Statute for Establishing Religious Freedom, prepared by Thomas Jefferson, and enacted by the State of Virginia in 1786, about eight years after it was drafted. Let me quote you the statute:

"That the General Assembly do enact that no man shall be compelled to frequent, or support, any religious worship, place or ministry whatsoever, nor shall be enforced, restrained, molested, or burthened in his body or goods, nor shall otherwise suffer, on account of his religious opinions or belief; but that all men shall be free to profess, and by argument to maintain, their opinions in matters of religion and that the same shall in no wise diminish, enlarge, or affect their civil capacities."

The conciseness of Jefferson's style is well illustrated in this statute. Read it over. There is not a superfluous word, and yet there is enough to guard religious liberty. It is not strange that this doctrine, so well set forth by Jefferson more than a century ago, is now a part of the Constitution and Bill of Rights of every State of this Union. Not only is that to-day the law of this land, but it is spreading throughout the world. It was only a short time ago that the Czar of Russia issued a decree in which he acknowledged the right of all the subjects of his

Digitized by Google

empire to worship God according to the dictates of their own consciences, and I believe that when we come to measure the relative importance of things, the importance of an act like that, the very foundation upon which we build religious liberty—the importance of an act like that which, gradually spreading, has become the creed of eighty millions of people, and is ultimately to become the creed of all the world—when we come to consider the vast importance of a thing like that, how can we compare lands or earthly possessions with it?

In the preamble to this statute Jefferson set forth the main reasons urged by those who believed in religious freedom. Let me call attention to some of the more important ones. He said, in the first place, that to attempt to compel people to accept a religious doctrine, by act of law, was to make, not Christians but hypocrites. That was one of the reasons, and it was a strong one. He said, too, that there was no earthly judge who was competent to sit in a case and try a man for his religious opinions, for the judgment of the court, he said, would not be a judgment of law, but would be the personal opinion of the judge. What could be more true? No man who has religious convictions himself bears them so lightly that he can lay them aside and act as a judge when another man's religious convictions are involved. Then he suggested—and I think that I am justified in elaborating upon this suggestion a moment—that religion does not need the support

Digitized by Google

of government to enable it to overcome error. Let me give the exact words of his report, for I cannot change them without doing injury to them:

"And finally that truth is great and will prevail if left to herself; that she is the proper and sufficient antagonist of error, and has nothing to fear from the conflict unless, by human interposition, disarmed of her natural weapons—free argument and debate; errors ceasing to be dangerous when it is permitted freely to contradict them."

Tell me that Jefferson lacked reverence for religion! He rather lacks reverence who believes that religion is unable to defend herself in a contest with error. He places a low estimate upon the strength of religion, who thinks that the wisdom of God must be supplemented by the force of man's puny arm.

Jefferson paid a tribute to the power of truth when he said that truth was able to overcome error in the open field; and it was this sublime confidence in the triumph of truth that distinguished him from many of the other great men of his time. In fact, of all the men who have lived upon this earth I know of no man who has surpassed Jefferson in his confidence in the ultimate triumph of truth; and upon what can people build if not upon faith in truth? Take from man his belief in the triumph of that which is right and he builds upon the sand. Give to man an abiding faith in the triumph of that which is true, and you give him the foundation of a moral character that can withstand all reverses.

Digitized by Google

It was this belief in the triumph of truth that made Jefferson favor free discussion, not only in religion but in everything; and one of the virtues of Jefferson was that he was consistent in applying his principles wherever they could be applied. I am not one of those who believe that Jefferson was inconsistent when he advocated the Louisiana purchase. He was in doubt whether the language of the Constitution, unamended, was such as to authorize the purchase of this territory; but never for a moment did he think that there was anything in the Constitution, in its letter or its spirit, to confine the United States to the original States. When he bought the territory his first thought was to ask for an amendment to the Constitution that would expressly ratify the act. But when the question was discussed it was found that his act was so universally approved that it was not considered necessary even to ask for an amendment. I do not believe that the purchase was inconsistent with his principles or utterances. I repeat, that one of the virtues of Jefferson was that he was consistent in applying his principles, no matter where those principles led him.

The same doctrine that he applied to Religion he applied to the Press, and I suppose no American—certainly no one who lived before the time of Andrew Jackson—ever had more reason than Jefferson to find fault with the untrue utterances of the Press. Yet, so great was his faith in the triumph of the

Digitized by Google

truth, and so willing was he to have error presented if truth could only be left free to combat it, that he was opposed to censorship of the Press, and I believe he gave expression to the strongest eulogy of the Press that any statesman has ever uttered, when he said that if he must choose between a government without newspapers, and newspapers without a government, he would prefer to risk the newspapers without a government. That is, he said that public opinion would measurably correct things if public opinion was left free; but that a government without the free expression of public opinion would soon become a despotism.

In the preamble to the Statute for Religious Freedom Jefferson put first that which I want to speak of last. It was that the regulation of the opinions of men on religious questions by law was contrary to the laws of God and to the plans of God. He pointed out that God had it in His power to control man's mind and body, but that He did not see fit to coerce the mind or the body into obedience to even the divine will; and that if God Himself was not willing to use coercion to force man to accept certain religious views, man uninspired and liable to error ought not to use the means that Jehovah would not employ. Jefferson realized that our religion was a religion of love and not a religion of force.

There has recently been published a little book called The Jeffersonian Bible, and in the fore part of that book there is a letter, written by Jefferson in

Digitized by Google

reply to an inquiry, in which he states his estimate of the teachings of Christ as compared with the philosophies of other religious teachers, and he pointed out the superiority of the philosophy of the Nazarene, in that, while other philosophies dealt with man's conduct, Christ's philosophy purified the fountain at its source—cleansed the heart.

He recognized that our religion is a religion of the heart, that it is propagated from heart to heart; and he recognized, too, that the heart controls human life. Jefferson was great in his intellect. I know of no mind that our Nation has produced that could express itself with more clearness, or with more logic; but I believe that there was in Jefferson that which was greater than his head. It was his heart. Greater than his intellect was his love for all mankind.

It has been said that it marks an epoch in history when God lets loose a thinker in the world. God let loose a thinker when Jefferson was born. Carlyle says that thought is stronger than artillery parks; that thought moulds the world like soft clay; that it writes and unwrites laws, makes and unmakes parliaments—and that back of every great thought is love; that love is the ruling force in the world. I believe it is true. I believe that Jefferson's greatness rests more upon his love of human kind than upon his intellect—great as was his intellect, and that he was great because his heart was big enough to embrace the world. And the people loved him

Digitized by Google

"because he first loved them." He wanted our religion to rest on the basis of love and not on the basis of force; and when we get down to the foundation of our government, and the foundation of our religion, we find that they alike rest on the doctrine of human brotherhood—on the doctrine "that all men are created equal," "that they are endowed by their creator with certain inalienable rights,"—rights that government did not give, rights that government cannot take away; that the object of government is to secure to the individual the enjoyment of his inalienable rights, and that governments derive their just powers from the consent of the governed. But all of these things rest upon that conception of human brotherhood which one cannot have unless he has the love that is back of every great thought. I believe that, when Jefferson assisted in establishing religious freedom, he assisted in giving to our government its strongest support. Chain the conscience, bind the heart, and you cannot have for the support of our form of government the strength and the enthusiasm it deserves. But let conscience be free to commune with its God, let the heart be free to send forth its love, and the conscience and the heart will be the best defenders of a government resting upon the consent of the governed.

I believe that Jefferson gave a complete theory of government when he gave us the doctrine of the Declaration of Independence, and he gave us the

Digitized by Google

two great supports of free government when he gave us universal education and an unfettered conscience. I am glad that the Jefferson Memorial Association is going to erect a monument to his memory. I say going to erect it, because I cannot believe that the American people need more than an opportunity to contribute to insure their contribution. I want this monument to be in keeping with the services of the man. I want it to stand as high as the monuments erected to warriors. I want it to testify to the world that the heroes of peace are as great as the heroes of war; that those who save human life are as great as those who take it, even though they take it in defence of a righteous cause. I want this monument to testify that a man can live for his country as well as die for his country.

But, anxious as I am that the Memorial Association shall erect a monument worthy of Jefferson, I thank God that Jefferson's memory needs no marble or bronze to perpetuate it. Erect your monument as high as you can, make it of material as enduring as you may, time will finally destroy it; the years will come and go, and at last that monument will disappear; but there is in the hearts of the people a monument that time cannot touch, and this monument, growing as the world grows, increasing as civilization increases, is a greater monument than the hand of man can rear. And as people measure the influence of Jefferson upon the destinies of the human race, they will be con-

Digitized by Google

vinced that the Bible is true when it says that "it is more blessed to give than to receive," for he gave the largest measure of service that man ever gave to man.

Digitized by Google

Digitized by Google

CONTENTS.

PAGE

THE STATUTE FOR ESTABLISHING RELIGIOUS FREEDOM. By Hon. William Jennings Bryan..... i

LETTERS WRITTEN AFTER RETURNING TO THE UNITED STATES (1789–1826)..... 1–446

To the President of the United States (George Washington), December 15, 1789..... 1

To the Rev. Charles Clay, Jan. 27, 1790..... 3

To the President of the United States, Feb. 14, 1790..... 4

To John Jay, Feb. 14, 1790..... 5

To John Jay, Feb. 14, 1790..... 5

To William Hunter, Mayor of Alexandria, March 11, 1790..... 6

To Thomas Mann Randolph, March 28, 1790..... 7

To George Joy, March 31, 1790..... 9

To Doctor Willard, April 1, 1790..... 11

To the Marquis de La Fayette, April 2, 1790.... 11

To Madame de Corny, April 2, 1790..... 13

To Madame la Comtesse D'Houdetot, April 2, 1790..... 15

To Madame la Duchesse D'Auville, April 2, 1790 16

To the Duke de La Rochefoucault, April 2, 1790. 18

To the Count de Montmorin, April 6, 1790..... 19

To William Carmichael, April 11, 1790..... 21

To Ferdinand Grand, April 23, 1790..... 23

To the Marquis de La Luzerne, April 30, 1790... 25

To William Short, April 30, 1790 27

To Thomas Mann Randolph, May 30, 1790..... 29

Digitized by Google

LETTERS WRITTEN AFTER RETURNING TO THE UNITED STATES (1789–1826)—*Continued.*

PAGE

To William Short, June 6, 1790..... 33
To Colonel George Mason, June 13, 1790..... 35
To David Rittenhouse, June 14, 1790..... 37
To David Rittenhouse, June 20, 1790..... 38
To James Monroe, June 20, 1790..... 42
To John Coffin Jones, June 23, 1790 45
To C. W. F. Dumas, June 23, 1790..... 46
To Robert Leslie, June 27, 1790..... 48
To Benjamin Vaughan, June 27, 1790..... 49
To Dr. George Gilmer, June 27, 1790..... 52
To Elias Boudinot, June 29, 1790..... 54
To David Rittenhouse, June 30, 1790..... 55
To William Short, July 1, 1790..... 56
To Colonel Nicholas Lewis, July 4, 1790..... 57
To Edward Rutledge, Esq., July 4, 1790..... 59
To C. W. F. Dumas, July 13, 1790..... 62
To Dr. George Gilmer, July 25, 1790..... 63
To William Short, July 26, 1790..... 65
To William Carmichael, August 2, 1790..... 70
To Louis de Pinto, August 7, 1790..... 73
To Joshua Johnson, August 7, 1790..... 76
To William Short, August 10, 1790..... 78
To Colonel David Humphreys, August 11, 1790. 82
To Gouverneur Morris, August 12, 1790..... 84
To the Attorneys of the United States for the Several Districts, August 12, 1790..... 86
To Thomas Mann Randolph, August 14, 1790... 88
To Governor John Hancock, August 24, 1790... 89
Circular to the Consuls and Vice-Consuls of the United States, August 26, 1790..... 91
To William Short, August 26, 1790..... 94
To the Secretary of War (Henry Knox), August 26, 1790..... 99

Digitized by Google

Jefferson at Forty-eight

Reproduced from the Original Painting by Charles Wilson Peale, in the Collection of Independence Hall, Philadelphia. Painted while Jefferson was Secretary of State (1790-1792).

Digitized by Google

Jefferson at Forty-eight

Digitized by Google

Digitized by Google

Digitized by Google

LETTERS WRITTEN AFTER RETURNING TO THE UNITED STATES (1789–1826)—*Continued.*

PAGE

To Monsieur La Forest, August 30, 1790..... 101
To John Bondfield, August 31, 1790..... 103
To José Ignacio de Viar, October 27, 1790..... 104
To the President of the United States, October 27, 1790 104
To Frederick Kinloch, November 26, 1790..... 106
To Gouverneur Morris, November 26, 1790..... 107
To Count de Moustier, December 3, 1790..... 109
To Noah Webster, at Hartford, Dec. 4, 1790.... 111
To Gouverneur Morris, December 17, 1790..... 115
To Joshua Johnson, December 17, 1790..... 117
To Joshua Johnson, Dec. 23, 1790..... 120
To Alexander Hamilton, December 29, 1790.... 121
To William Short, Jan. 23, 1791..... 122
To Colonel George Mason, February 4, 1791. ... 123
To Charles Hellstedt, Swedish Consul, Feb. 14, 1791 126
To Ebenezer Hazard, Feb. 18, 1791..... 127
To ——— ———, Feb. 19, 1791..... 128
To Governor John Hancock, Feb. 20, 1791..... 131
To Monsieur de Pinto, Feb. 21, 1791..... 132
To Philip Freneau, Feb. 28, 1791..... 133
To the Count de Moustier, March 2, 1791 134
To Harry Innes, March 7, 1791..... 135
To the President of the National Assembly of France, March 8, 1791..... 137
To Governor Quesada (Governor of Florida), March 10, 1791..... 138
To the Secretary of the Treasury (Alexander Hamilton), March 12, 1791..... 139
To Major Peter Charles L'Enfant, March —, 1791. 140
To William Carmichael, March 12, 1791..... 141
To William Short, March 12, 1791..... 143

Digitized by Google

LETTERS WRITTEN AFTER RETURNING TO THE UNITED STATES (1789–1826)—*Continued.*

PAGE

To Colonel James Innes, March 13, 1791 145
To William Short, March 15, 1791..... 146
To William Short, March 19, 1791..... 149
To Dr. Caspar Wistar, March 20, 1791 151
To Alexander Martin (Governor of North Carolina), Mar. 26, 1791..... 152
To the President of the United States, March 27, 1791 153
To William Lewis, March 31, 1791..... 156
To the President of the United States, April 2, 1791 157
To Major Peter Charles L'Enfant, April 10, 1791. 162
To the President of the United States, April 10, 1791 163
Extract of a letter from William Short to Thomas Jefferson, Secretary of State, dated Amsterdam, January 24, 1791..... 166
To William Carmichael, April 11, 1791..... 174
To Charles Carroll, of Carrollton, April 15, 1791. 177
To the President of the United States, April 17, 1791 178
To the President of the United States, April 24, 1791 182
To William Short, April 25, 1791..... 185
To the President of the United States, May 1, 1791 189
To the Attorney of the District of Kentucky, May 7, 1791..... 191
To the President of the United States, May 8, 1791 192
To Jeremiah Wadsworth, May 11, 1791..... 195
To C. W. F. Dumas, May 13, 1791..... 196
To Thomas Barclay, May 13, 1791 199

Digitized by Google

LETTERS WRITTEN AFTER RETURNING TO THE UNITED STATES (1789–1826)—*Continued.*

PAGE

Letter from the President to the Emperor of Morocco, referred to in the letter to Mr. Barclay. 202
To Thomas Mann Randolph, June 5, 1791..... 204
To Colonel James Monroe, July 10, 1791..... 206
To Colonel David Humphreys, July 13, 1791... 209
To John Adams, July 17, 1791 212
To Gouverneur Morris, July 26, 1791..... 215
To William Short, July 28, 1791..... 216
To Thomas Paine, July 29, 1791..... 223
To the President of the United States, July 30, 1791 225
To General Henry Knox, August 10, 1791..... 226
To Colonel John Harvie, August 14, 1791..... 228
To William Carmichael, August 24, 1791..... 229
To Sir John Sinclair, August 24, 1791 230
To Edward Rutledge, August 25, 1791..... 232
To Messrs. Johnson, Stuart and Carroll, August 28, 1791..... 234
To William Short, August 29, 1791..... 236
To Monsieur de La Motte, August 30, 1791..... 238
To Gouverneur Morris, August 30, 1791..... 240
To Benjamin Banneker, August 30, 1791..... 241
To John Adams, August 30, 1791..... 242
To Admiral Paul Jones, August 31, 1791..... 245
To Monsieur de Ternant, Minister Plenipotentiary of France, September 1, 1791..... 246
To Thomas Newton, September 8, 1791..... 247
To George Hammond, Oct. 26, 1791..... 249
To James Madison, Nov. 1, 1791..... 250
To the President of the United States, Nov. 6, 1791 251
To Major Thomas Pinckney, Nov. 6, 1791..... 252
To the President of the United States, Nov. 7, 1791 253

Digitized by Google

LETTERS WRITTEN AFTER RETURNING TO THE UNITED STATES (1789–1826)—*Continued.*

PAGE

To Messrs. Johnson, Stuart and Carroll, Nov. 21, 1791 256
To Andrew Ellicott, Nov. 21, 1791..... 257
To William Short, Nov. 24, 1791..... 257
To Colonel David Humphreys, Nov. 29, 1791... 264
To Daniel Smith, Nov. 29, 1791..... 266
To the Attorney General (Edmund Randolph), Dec. 5, 1791. 266
The Memorial of the British Minister..... 267
To A. McAlister, Dec. 22, 1791..... 274
To Archibald Stuart, Dec. 23, 1791..... 275
To the President of the United States, Dec. 23, 1791 278
To the President of the United States, Jan. 4, 1792 282
To William Short, Jan. 5, 1792..... 283
To Thomas Pinckney, Jan. 17, 1792..... 285
To William Short, Jan. 23, 1792..... 286
To Gouverneur Morris, Jan. 23, 1792..... 290
To Monsieur de Montmorin, Jan. 23, 1792..... 294
To Don José de Jaudenes and Don José Ignacio de Viar, Jan. 25, 1792..... 295
To William Short, Jan. 28, 1792..... 296
To Colonel Alexander Hamilton, February —, 1792 298
To the British Minister (George Hammond), Feb. 2, 1792..... 299
To the President of the United States, Feb. 4, 1792 300
To the President of the United States, Feb. 7, 1792 304
To the British Minister (George Hammond), February 25, 1792 306

Digitized by Google

LETTERS WRITTEN AFTER RETURNING TO THE UNITED STATES (1789–1826)—*Continued.*

PAGE

To Messrs. Johnson, Carroll and Stuart, March 6, 1792 307
To Gouverneur Morris, March 10, 1792..... 310
To William Carmichael and William Short, March 18, 1792 313
To William Short, March 18, 1792..... 314
To William Short, March 18, 1792..... 315
To José Ignacio de Viar and José de Jaudenes, March 23, 1792..... 318
To Colonel Pickering, March 28, 1792..... 319
To George Hammond, March 31, 1792..... 320
To Charles Pinckney (Governor of South Carolina), April 1, 1792..... 321
To the Commissioners of Washington, April 9, 1792 322
To Colonel Nicholas Lewis, April 12, 1792..... 324
To the President of the United States, April 13, 1792 325
To William Carmichael and William Short, April 24, 1792 326
To Gouverneur Morris, April 28, 1792..... 334
To the President of the United States, May 16, 1792 337
To José Ignacio de Viar and José de Jaudenes, May 17, 1792..... 338
To the President of the United States, May 18, 1792 340
To the President of the United States, May 23, 1792 341
Circular to the American Consuls, May 31, 1792. 350
To John Paul Jones, June 1, 1792..... 353
To James Madison, June 4, 1792..... 364
To Thomas Barclay, June 11, 1792..... 366

Digitized by Google

LETTERS WRITTEN AFTER RETURNING TO THE UNITED STATES (1789–1826)—*Continued*.

PAGE

To Thomas Pinckney, June 11, 1792..... 368
To Thomas Pinckney, June 11, 1792..... 374
To Thomas Pinckney, June 14, 1792..... 375
To Gouverneur Morris, June 16, 1792..... 378
To the Marquis de La Fayette, June 16, 1792... 380
To Joel Barlow, June 20, 1792..... 382
To Peter Carr, June 22, 1792..... 383
To F. P. Van Berckel, July 2, 1792..... 385
To His Excellency the Governor of Georgia (Edward Telfair), July 3, 1792..... 387
To José Ignacio de Viar and José de Jaudenes, July 9, 1792..... 388
To Colonel David Humphreys, July 12, 1792... 389
To General Henry Lee (Governor of Virginia), August 13, 1792..... 390
To Charles Godfrey Paleske, August 19, 1792... 391
To the Minister Plenipotentiary of France (Jean dė Ternant), Aug. 27, 1792..... 393
To the President of the United States, Sept. 9, 1792 394
To Archibald Stuart, Sept. 9, 1792..... 409
To Charles Clay, Sept. 11, 1792..... 410
To Edmund Randolph, Sept. 17, 1792..... 411
To the President of the United States, Sept. 18, 1792..... 412
To Charles C. Pinckney, Oct. 8, 1792..... 412
To Thomas Pinckney, Oct. 12, 1792..... 414
To William Carmichael and William Short, Oct. 14, 1792..... 416
To Gouverneur Morris, Oct. 15, 1792..... 419
To Jean de Ternant, Oct. 16, 1792..... 421
To José Ignacio de Viar and José de Jaudenes, Commissioners of Spain, Nov. 1, 1792..... 422
To the President of the United States, Nov. 2, 1792 423

Digitized by Google

LETTERS WRITTEN AFTER RETURNING TO THE UNITED STATES (1789–1826)—*Continued.*

PAGE

To William Carmichael and William Short, Nov. 3, 1792 425
To the President of the United States, Nov. 3, 1792 427
To the Mayor, Municipal Officers and Procureur of the Community of Marseilles, Nov. 6, 1792.. 433
To Colonel David Humphreys, Nov. 6, 1792.... 434
To Gouverneur Morris, Nov. 7, 1792..... 436
To Colonel David Humphreys, Nov. 8, 1792.... 438
To T. M. Randolph, Jr., Nov. 16, 1792..... 439
To Jean de Ternant, Nov. 20, 1792..... 440
To Thomas Pinckney, Dec. 3, 1792..... 443
To Dr. George Gilmer, Dec. 15, 1792..... 444
To John Francis Mercer, Dec. 19, 1792..... 445

Digitized by Google

Digitized by Google

ILLUSTRATIONS.

FACING PAGE

JEFFERSON AT FORTY-EIGHT..... xiv
Reproduced from the Original Painting by Charles Wilson Peale.

THE VIRGINIA SIGNERS..... xxiv
Reproduced from the Original Paintings in Independence Hall.

INTERIOR OF INDEPENDENCE HALL..... 382
Reproduced from an Old Engraving.

Digitized by Google

CORRESPONDENCE.

LETTERS WRITTEN AFTER HIS RETURN TO THE UNITED STATES.

1789–1826.

(CONTINUED.)

Digitized by Google

The Virginia Signers

(*Declaration of Independence*)

The Reproductions are from the Original Paintings in Independence Hall, Philadelphia.

George Wythe (1726-1806), born in Elizabeth City, Va., was one of the most ardent promoters of independence for the American colonies. From the Virginia House of Burgesses he was elected to the Continental Congress in 1775. In 1776, in conjunction with Jefferson and Pendleton, he was chosen to revise the laws of Virginia. Later he became a Judge of the High Court of Chancery and served as chancellor of Virginia for twenty years. (*Reproduced from the Original Painting by John Trumbull.*)

Richard Henry Lee (1732-1794), born in Stratford, Va., was educated in England. Elected to the Virginia House of Burgesses about 1757. He supported Patrick Henry's famous resolutions against the Stamp Act. Became one of the Committee of Correspondence in 1773. He was a delegate to the Continental Congress in 1774. In June, 1776, he introduced into that body the measure declaring the colonies free states. He became president of Congress in 1784, and was elected U. S. Senator five years later. (*Reproduced from the Original Painting by Charles W. Peale.*)

Benjamin Harrison (1740-1791), born in City Point, Va., began his career in the State Legislature in 1764. In 1774, ten years later, he was a delegate to the first General Congress. Resigning his seat in 1777 he was elected to the Virginia House of Burgesses, and chosen Speaker. He was made Governor of Virginia in 1782, and was twice re-elected. In 1788 he became a member of the Convention of Virginia that ratified the Constitution of the United States. (*Reproduced from the Original Portrait by John Trumbull.*)

Thomas Nelson, Jr., (1738-1789), born in York, Va., was a member of the House of Burgesses when scarcely twenty-one years old. Resigned his colonelcy of the Second Virginia Regiment upon being elected a member of the Continental Congress. In August, 1777, he again took up soldier-life as Commander-in-Chief of the Virginia forces and distinguished himself at the siege of Yorktown. Retired from active life a poor man—his immense fortune having been given to the uses of war. His statue is one of the six placed around the Washington Monument at Richmond. (*Reproduced from the Original Painting presented by the State of Maryland to the Government.*)

Carter Braxton (1736-1797), born in Newington, Va., first distinguished himself in the Virginia House of Burgesses by supporting Patrick Henry's Stamp Act resolutions. In both the Virginia Convention of 1769 and that of Williamsburg in 1774, he played active parts. December 15, 1775, he was appointed Peyton Randolph's successor in Congress. He did not remain there long, but continued, up to his death, to hold important offices in the Legislature and State Council of Virginia.—(*Reproduced from the Original Painting by Albert Rosenthal.*)

Francis Lightfoot Lee (1734-1797), born in Stratford, Va., was the younger brother of Richard Henry Lee. He was a member of the House of Burgesses 1765-1772. Delegate to the Continental Congress from 1775 to 1779, serving there upon many important committees. He rendered valuable aid in framing the old Articles of Confederation, and took a strong stand in favor of the Northern Fisheries and Navigation of the Mississippi, in our treaty with England. It is to be regretted that there is no portrait of this staunch patriot in the Independence Hall Collection of Signers.

Note—The portrait of Thomas Jefferson among the paintings of the Virginia signers in Independence Hall has been used as the frontispiece in this volume.

Digitized by Google

Digitized by Google

BENJAMIN HARRISON

RICHARD H. LEE

THOMAS NELSON, JR.

GEORGE WYTHE

CARTER BRAXTON

Digitized by Google

Digitized by Google

JEFFERSON'S WORKS.

LETTERS WRITTEN AFTER HIS RETURN TO THE UNITED STATES.

1789–1826.

TO THE PRESIDENT.

CHESTERFIELD, December 15, 1789.

SIR,—I have received at this place the honor of your letters of October the 13th and November the 30th, and am truly flattered by your nomination of me to the very dignified office of Secretary of State; for which, permit me here to return you my humble thanks. Could any circumstance seduce me to overlook the disproportion between its duties and my talents, it would be the encouragement of your choice. But when I contemplate the extent of that office, embracing as it does the principal mass of domestic administration, together with the foreign, I cannot be insensible of my inequality to it; and I should enter on it with gloomy forebodings from the criticisms and censures of a public, just indeed in their intentions, but sometimes

Digitized by Google

misinformed and misled, and always too respectable to be neglected. I cannot but foresee the possibility that this may end disagreeably for me, who, having no motive to public service but the public satisfaction, would certainly retire the moment that satisfaction should appear to languish. On the other hand, I feel a degree of familiarity with the duties of my present office, as far at least as I am capable of understanding its duties. The ground I have already passed over, enables me to see my way into that which is before me. The change of government too, taking place in a country where it is exercised, seems to open a possibility of procuring from the new rulers, some new advantages in commerce, which may be agreeable to our countrymen. So that as far as my fears, my hopes, or my inclinations might enter into this question, I confess they would not lead me to prefer a change.

But it is not for an individual to choose his post. You are to marshal us as may best be for the public good; and it is only in the case of its being indifferent to you, that I would avail myself of the option you have so kindly offered in your letter. If you think it better to transfer me to another post, my inclination must be no obstacle; nor shall it be, if there is any desire to suppress the office I now hold, or to reduce its grade. In either of these cases, be so good only as to signify to me by another line your ultimate wish, and I shall conform to it cordially. If it should be to remain at New York, my

Digitized by Google

chief comfort will be to work under your eye, my only shelter the authority of your name, and the wisdom of measures to be dictated by you and implicitly executed by me. Whatever you may be pleased to decide, I do not see that the matters which have called me hither, will permit me to shorten the stay I originally asked; that is to say, to set out on my journey northward till the month of March. As early as possible in that month, I shall have the honor of paying my respects to you in New York. In the meantime, I have that of tendering you the homage of those sentiments of respectful attachment with which I am, Sir, your most obedient, and most humble servant.

TO THE REV. CHARLES CLAY.

MONTICELLO, January 27, 1790.

DEAR SIR,—I had hoped that during my stay here I could have had the pleasure of seeing you in Bedford, but I find it will be too short for that. Besides views of business in that country, I had wished again to visit that greatest of our curiosities, the Natural Bridge, and did not know but you might have the same desire. I do not know yet how I am to be disposed of, whether kept at New York, or sent back to Europe. If the former, one of my happinesses would be the possibility of seeing you there; for I understand you are a candidate for the representation of your district in Congress,

Digitized by Google

I cannot be with you to give you my vote, nor do I know who are to be the competitors, but I am sure I shall be contented with such a representative as you will make; because I know you are too honest a patriot not to wish to see our country prosper by any means, though they be not exactly those you would have preferred; and that you are too well informed a politician, too good a judge of men, not to know, that the ground of liberty is to be gained by inches, that we must be contented to secure what we can get, from time to time, and eternally press forward for what is yet to get. It takes time to persuade men to do even what is for their own good. Wishing you every prosperity in this, and in all your other undertakings (for I am sure from my knowledge of you they will always be just), I am, with sincere esteem and respect, dear Sir, your friend and servant.

TO PRESIDENT WASHINGTON.

MONTICELLO, February 14, 1790.

SIR,—I have duly received the letter of the 21st of January with which you have honored me, and no longer hesitate to undertake the office to which you are pleased to call me. Your desire that I should come on as quickly as possible, is a sufficient reason for me to postpone every matter of business, however pressing, which admits postponement. Still, it will be the close of the ensuing week before I can

Digitized by Google

get away, and then I shall have to go by the way of Richmond, which will lengthen my road. I shall not fail, however, to go on with all the despatch possible, nor to satisfy you, I hope, when I shall have the honor of seeing you in New York, that the circumstances which prevent my immediate departure, are not under my control. I have now that of being, with sentiments of the most perfect respect and attachment, Sir, your most obedient, and most humble servant.

TO JOHN JAY, CHIEF JUSTICE OF THE UNITED STATES.

MONTICELLO, February 14, 1790.

DEAR SIR,—I am honored with your favor of December 12, and thank you for your friendly congratulations on my return to my native country, as well as for the interest you are pleased to express in the appointment with which I have been honored. I have thought it my duty to undertake it, though with no prepossessions in favor of my talents for executing it to the satisfaction of the public. With respect to the young gentlemen in the office of foreign affairs, their possession and your recommendation are the strongest titles. But I suppose the ordinance establishing my office, allows but one assistant; and I should be wanting in candor to you and them, were I not to tell you that another candidate has been proposed to me, on ground that can-

Digitized by Google

not but command respect. I know neither him nor them, and my hope is, that, as but one can be named, the object is too small to occasion either mortification or disappointment to either. I am sure I shall feel more pain at not being able to avail myself of the assistance but of one of the gentlemen, than they will at the betaking themselves to some better pursuit. I ask it of your friendship, my dear Sir, to make them sensible of my situation, and to accept yourself assurances of the sincere esteem and respect with which I have the honor to be, dear Sir, your most obedient, and most humble servant.

TO WM. HUNTER, ESQ., MAYOR OF ALEXANDRIA.

ALEXANDRIA, March 11, 1790.

SIR,—Accept my sincere thanks for yourself and the worthy citizens of Alexandria, for their kind congratulations on my return to my native country.

I am happy they have felt benefits from the encouragement of our commerce, which have been given by an allied nation. But truth and candor oblige me, at the same time, to declare, you are indebted for these encouragements solely to the friendly dispositions of that nation, which has shown itself ready on every occasion to adopt all arrangements which might strengthen our ties of mutual interest and friendship.

Convinced that the republican is the only form

Digitized by Google

of government which is not eternally at open or secret war with the rights of mankind, my prayers and efforts shall be cordially distributed to the support of that we have so happily established. It is indeed an animating thought, that while we are securing the rights of ourselves and our posterity, we are pointing out the way to struggling nations, who wish like us to emerge from their tyrannies also. Heaven help their struggles, and lead them, as it has done us, triumphantly through them.

Accept, Sir, for yourself and the citizens of Alexandria, the homage of my thanks for their civilities, and the assurance of those sentiments of respect and attachment with which I have the honor to be, Sir, your most obedient, and most humble servant.

TO T. M. RANDOLPH.

NEW YORK, March 28, 1790.

DEAR SIR,—I arrived here on the 21st instant, after as laborious a journey of a fortnight from Richmond as I ever went through; resting only one day at Alexandria, and another at Baltimore. I found my carriage and horses at Alexandria, but a snow of eighteen inches deep falling the same night, I saw the impossibility of getting on in my own carriage, so left it there, to be sent to me by water, and had my horses led on to this place, taking my passage in the stage, though relieving myself a little sometimes by mounting my horse. The roads through

Digitized by Google

the whole way were so bad that we could never go more than three miles an hour, sometimes not more than two, and in the night but one. My first object was to look out a house in the Broadway, if possible, as being the centre of my business. Finding none there vacant for the present, I have taken a small one in Maiden Lane, which may give me time to look about me. Much business had been put by for my arrival, so that I found myself all at once involved under an accumulation of it. When this shall be got through, I will be able to judge whether the ordinary business of my department will leave me any leisure. I fear there will be little.

Letters from Paris to the 25th of December, inform me that the revolution there was still advancing with a steady pace. There had been two riots since my departure. The one on the 5th and 6th of October, which occasioned the royal family to remove to Paris, in which nine or ten of the Gardes de Corps fell, and among these a Chevalier de Daricourt, brother of Madame de La Dillatte, and of Mademoiselle Daricourt —— friend. The second was on the 21st of the same month, in which a baker had been hung by the mob. On this occasion, the government (*i. e.* the National Assembly) proclaimed Martial Law in Paris, and had two of the ringleaders of the mob seized, tried, and hung, which was effected without any movement on the part of the people. Others were still to be tried. The troubles in Brabant become serious. The insur-

Digitized by Google

gents have routed the regular troops in every rencounter.

Congress is principally occupied by the treasury report. The assumption of the State debts has been voted affirmatively in the first instance, but it is not certain it will hold its ground through all the changes of the bill when it shall be brought in. I have recommended Mr. D. R. to the President for the office he desired, in case of a vacancy. It seemed, however, as if the President had had no intimation before, that a vacancy was expected. *

* * * * Yours affectionately.

TO GEORGE JOY.

NEW YORK, March 31, 1790.

SIR,—I have considered your application for sea letters for the ship Eliza, and examined into the precedents which you supposed might influence the determination. The resolution of Congress, which imposes this duty on the Secretary for Foreign Affairs, provides expressly, "that it be made to appear to him by oath or affirmation, or *by such other evidence as shall by him be deemed satisfactory*, that the vessel is commanded by officers, citizens of the United States." Your affidavit satisfies me that one of the officers is a citizen of the United States; but you are unacquainted with the others and without evidence as to them, and even without a presumption that they are citizens, except so far

Digitized by Google

as arises on the circumstances of the captain's being an American, and the ship sailing from an American port. Now, I cannot in my conscience say, that this is *evidence of the fact, satisfactory to my mind.* The precedents of relaxation by Mr. Jay, were all between the date of the resolution of Congress (February the 12th, 1788) and his public advertisement, announcing the evidence which must be produced. Since this last, the proceedings have been uniform and exact. Having perfect confidence in your good faith, and therefore without a suspicion of any fraud intended in the present case, I could have wished sincerely to grant the sea letter; but besides the letter of the law which ties me down, the public security against a partial dispensation of justice, depends on its being dispensed by certain rules. The slightest deviation in one circumstance, becomes a precedent for another, that for a third, and so on, without bounds. A relaxation in a case where it is certain no fraud is intended, is laid hold of by others, afterwards, to cover fraud. I hope, therefore, you will be sensible of the necessity of my adhering to the rules which have been published and practised by my predecessor; and that I am with great respect, Sir, your most obedient, and most humble servant.

Digitized by Google

TO DOCTOR WILLARD.

NEW YORK, April 1, 1790.

I have duly received the letter wherein you are so good as to notify to me the honor done me by the American Academy of Arts and Sciences, in electing me one of their members, together with the diploma therein enclosed; and I beg leave through you, Sir, to return to the Academy the homage of my thanks for their favor, and to express to them the grateful sense I have of it. I only regret the small prospect I have of being useful to them, engaged as I continually am in occupations less pleasing to me, and which would be better performed by others. Unacquainted with the duties which the election into your Academy imposes on me, I can only express my desire of fulfilling them on their being made to me.

Mr. Read has explained to me his drawings and models. They prove that he merits the character you are pleased to give of him. He waits at present the passage of a law for securing to inventors the benefit of their own ingenuity. I have the honor to be, with the most respectful esteem, Sir, your most obedient, and most humble servant.

TO THE MARQUIS DE LAFAYETTE.

NEW YORK, April 2, 1790.

Behold me, my dear friend, elected Secretary of State, instead of returning to the far more agreeable

Digitized by Google

position which placed me in the daily participation of your friendship. I found the appointment in the newspapers the day of my arrival in Virginia. I had indeed been asked while in France, whether I would accept of any appointment at home, and I had answered that, not meaning to remain long where I was, I meant it to be the last office I should ever act in. Unfortunately this letter had not arrived at the time of arranging the new Government. I expressed freely to the President my desire to return. He left me free, but still showing his own desire. This, and the concern of others, more general than I had a right to expect, induced, after three months parleying, to sacrifice my own inclinations. I have been here, then, ten days harnessed in new gear. Wherever I am, or ever shall be, I shall be sincere in my friendship to you and to your nation. I think with others, that nations are to be governed with regard to their own interests, but I am convinced that it is their interest, in the long run, to be grateful, faithful to their engagements, even in the worst of circumstances, and honorable and generous always. If I had not known that the head of our government was in these sentiments, and that his national and private ethics were the same, I would never have been where I am. I am sorry to tell you his health is less firm than it used to be. However, there is nothing in it to give alarm. The opposition to our new Constitution has almost totally disappeared. Some few indeed had gone such lengths in

Digitized by Google

their declarations of hostility, that they feel it awkward perhaps to come over; but the amendments proposed by Congress, have brought over almost all their followers. If the President can be preserved a few years till habits of authority and obedience can be established generally, we have nothing to fear. The little vautrien, Rhode Island, will come over with a little more time. Our last news from Paris is of the 8th of January. So far it seemed that your revolution had got along with a steady peace; meeting indeed occasional difficulties and dangers, but we are not to expect to be translated from despotism to liberty in a feather-bed. I have never feared for the ultimate result, though I have feared for you personally. Indeed, I hope you will never see such another 5th or 6th of October. Take care of yourself, my dear friend, for though I think your nation would in any event work out her salvation, I am persuaded, were she to lose you, it would cost her oceans of blood, and years of confusion and anarchy. Kiss and bless your dear children for me. Learn them to be as you are, a cement between our two nations. I write to Madame de LaFayette, so have only to add assurances of the respect of your affectionate friend and humble servant.

MADAME DE CORNY.

NEW YORK, April 2, 1790.

I had the happiness, my dear friend, to arrive in Virginia, after a voyage of twenty-six days only, of

Digitized by Google

the finest autumn weather it was possible to have; the wind having never blown harder than we would have desired it. On my arrival I found my name in the newspapers announced as Secretary of State. I made light of it, supposing I had only to say "No," and there would be an end of it. It turned out, however, otherwise. For though I was left free to return to France, if I insisted on it, yet I found it better in the end to sacrifice my own inclinations to those of others. After holding off, therefore, near three months, I acquiesced. I did not write to you while this question was in suspense, because I was in constant hope of being able to say to you certainly that I should return. Instead of that, I am now to say certainly the contrary, and instead of greeting you personally in Paris, I am to write you a letter of adieu. Accept, then, my dear Madam, my cordial adieu, and my grateful thanks for all the civilities and kindnesses I have received from you. They have been greatly more than I had a right to expect, and they have excited in me a warmth of esteem which it was imprudent in me to have given way to for a person whom I was one day to be separated from. Since it is so, continue towards me those friendly sentiments I have always flattered myself you entertained; let me hear from you sometimes, assured that I shall always feel a warm interest in your happiness. Your letter of November 25 afflicts me; but I hope that a revolution so pregnant with the general happiness of the nation, will not in the

Digitized by Google

end injure the interests of persons who are so friendly to the general good of mankind as yourself and M. de Corny. Present to him my most affectionate esteem, and ask a place for me in his recollection. * * Your affectionate friend and humble servant.

MADAME LA COMTESSE D'HOUDETOT.

NEW YORK, April 2, 1790.

Being called by our Government to assist in its domestic administration, instead of paying my respects to you in person as I had hoped, I am to write you a letter of adieu. Accept, I pray you, Madam, my grateful acknowledgments for the manifold kindnesses by which you added so much to the happiness of my stay in Paris. I have found here a philosophic revolution, philosophically effected. Yours, though a little more turbulent, has, I hope by this time, issued in success and peace. Nobody prays for it more sincerely than I do, and nobody will do more to cherish a union with a nation, dear to us through many ties, and now more approximated by the change in its government.

I found our friend Doctor Franklin in his bed—cheerful and free from pain, but still in his bed. He took a lively interest in the details I gave him of your revolution. I observed his face often flushed in the course of it. He is much emaciated. Monsieur de Crevecoeur is well, but a little apprehensive that the spirit of reforming and economizing may reach his

Digitized by Google

office. A good man will suffer if it does. Permit me, Madame la Comtesse, to place here my sincere respects to Monsieur le Comte Houdetot and to Monsieur de St. Lambert. The philosophy of the latter will have been greatly gratified to see a regeneration of the condition of man in Europe so happily begun in his own country. Repeating to you, Madam, my sense of your goodness to me, and my wishes to prove it on every occasion, adding my sincere prayers that Heaven may bless you with many years of life and health, I pray you to accept here the homage of those sentiments of respect and attachment with which I have the honor to be, Madame la Comtesse, your most obedient, and most humble servant.

TO MADAME LA DUCHESSE D'AUVILLE.

NEW YORK, April 2, 1790.

I had hoped, Madame la Duchesse, to have again had the pleasure of paying my respects to you in Paris, but the wish of our Government that I should take a share in its administration, has become a law to me. Could I have persuaded myself that public offices were made for private convenience, I should undoubtedly have preferred a continuance in that which placed me nearer to you; but believing, on the contrary, that a good citizen should take his stand where the public authority marshals him, I have acquiesced. Among the circumstances which will reconcile me to my new position, are the opportuni-

Digitized by Google

ties it will give me of cementing the friendship between our two nations. Be assured, that to do this is the first wish of my heart. I have but one system of ethics for men and for nations—to be grateful, to be faithful to all engagements under all circumstances, to be open and generous, promoting in the long run even the interests of both; and I am sure it promotes their happiness. The change in your government will approximate us to one another. You have had some checks, some horrors since I left you; but the way to Heaven, you know, has always been said to be strewed with thorns. Why your nation have had fewer than any other on earth, I do not know, unless it be that it is the best on earth. I assure you, Madam, moreover, that I consider yourself personally as with the foremost of your nation in every virtue. It is not flattery, my heart knows not that; it is a homage to sacred truth, it is a tribute I pay with cordiality to a character in which I saw but one error; it was that of treating me with a degree of favor I did not merit. Be assured I shall always retain a lively sense of your goodness to me, which was a circumstance of principal happiness to me during my stay in Paris. I hope that by this time you have seen that my prognostications of a successful issue to your revolution, have been verified. I feared for you during a short interval; but after the declaration of the army, though there might be episodes of distress, the denouements was out of doubt. Heaven send that the glorious example of

Digitized by Google

your country may be but the beginning of the history of European liberty, and that you may live many years in health and happiness to see at length that Heaven did not make man in its wrath. Accept the homage of those sentiments of sincere and respectful esteem with which I have the honor to be, Madame la Duchesse, your most affectionate and obedient humble servant.

TO THE DUKE DE LA ROCHEFOUCAULT.

NEW YORK, April 3, 1790.

DEAR SIR,—A call to take a part in the domestic administration of our Government, obliges me to abandon the expectation of paying my respects to you in person, in Paris. Though removed to a greater distance in future, and deprived of the pleasure and advantages of your conversation and society, which contributed so much to render my residence in Paris agreeable, I shall not be the less anxious for your health and happiness, and for the prosperous issue of the great revolution in which you have taken so zealous and distinguished a part. By this time I hope it is happily concluded, and that the new constitution, after receiving the finishing hand from the National Assembly, is now putting into regular motion by the convocation of a new legislature. I find my countrymen as anxious for your success as they ought to be; and thinking with the National Assembly in all points except that of a single house

Digitized by Google

of legislation. They think their own experience has so decidedly proved the necessity of two Houses to prevent the tyranny of one, that they fear that this single error will shipwreck your new constitution. I am myself persuaded that theory and practice are not at variance in this instance, and that you will find it necessary hereafter to add another branch. But I presume you provide a facility of amending your constitution, and perhaps the necessity may be altogether removed by a council of revision well constituted.

Accept, Sir, my sincere thanks for all your kindnesses, permit me to place here those which I owe to Madame la Duchesse de La Rochefoucault, and which I render with the greatest cordiality. Were her system of ethics and of government the system of every one, we should have no occasion for government at all. I hope you will both live long years of health and happiness to see in full ripeness the fruit of your own revolution, and also that which seems blossoming in other parts of Europe. Accept, both, the homage of that affectionate and respectful attachment with which I have the honor to be your most obedient, and most humble servant.

TO THE COUNT DE MONTMORIN.

NEW YORK, April 6, 1790.

SIR,—The President of the United States having thought proper to assign to me other functions than those of their Minister Plenipotentiary near the King,

Digitized by Google

I have the honor of addressing to your Excellency my letters of recall, and of beseeching you to be so good as to present them, with the homage of my respectful adieus, to his Majesty.

It is with great satisfaction that I find myself authorized to conclude, as I had begun my mission, with assurances of the attachment of our government to the King and his people, and of its desire to preserve and strengthen the harmony and good understanding, which has hitherto so happily subsisted between the two nations.

Give me leave to place here, also, my acknowledgments to your Excellency, personally, for the facilities you have been pleased always to give in the negotiation of the several matters I have had occasion to treat with you, during my residence at your court. They were ever such as to evince, that the friendly dispositions towards our republic which you manifested even from its birth, were still found consistent with that patriotism of which you have continued to give such constant and disinterested proofs. May this union of interests forever be the patriot's creed in both countries. Accept my sincere prayers that the King, with life and health, may be long blessed with so faithful and able a servant, and you with a Prince, the model of royal excellence; and permit me to retain to my latest hours, those sentiments of affectionate respect and attachment, with which I have the honor to be, your Excellency's most obedient, and most humble servant.

Digitized by Google

TO WILLIAM CARMICHAEL.

NEW YORK, April 11, 1790.

SIR,—A vessel being about to sail from this port for Cadiz, I avail myself of it to inform you, that under the appointment of the President of the United States, I have entered on the duties of Secretary of State, comprehending the department of Foreign Affairs.

Mr. Jay's letter of October the 2d, acknowledged the receipt of the last of yours which have come to hand. Since that date he wrote you on the 7th of December, enclosing a letter for Mr. Chiappe.

The receipt of his letter of September the 9th, 1788, having never been acknowledged, the contents of which were important and an answer wished for, I send you herewith a duplicate, lest it should have miscarried.

You will also receive herewith, a letter of credence for yourself, to be delivered to the Count de Florida Blanca, after putting thereon the proper address, with which I am unacquainted. A copy of it is enclosed for your information.

I beg leave to recommend the case of Don Blas Gonzalez to your good offices with the court of Spain, enclosing you the documents necessary for its illustration. You will perceive, that two vessels were sent from Boston in the year 1787, on a voyage of discovery and commercial experiment in general, but more particularly to try a fur trade with the

Digitized by Google

Russian settlements, on the northwest coast of our continent, of which such wonders had been published in Captain Cook's voyages, that it excited similar expeditions from other countries also; and that the American vessels were expressly forbidden to touch at any Spanish port, but in cases of extreme distress. Accordingly, through the whole of their voyage through the extensive latitudes held by that crown, they never put into any port but in a single instance. In passing near the island of Juan Fernandez, one of them was damaged by a storm, her rudder broken, her masts disabled, and herself separated from her companion. She put into the island to refit, and at the same time, to wood and water, of which she began to be in want. Don Blas Gonzalez, after examining her, and finding she had nothing on board but provisions and charts, and that her distress was real, permitted her to stay a few days, to refit and take in fresh supplies of wood and water. For this act of common hospitality, he was immediately deprived of his government, unheard, by superior order, and remains still under disgrace. We pretend not to know the regulations of the Spanish government, as to the admission of foreign vessels into the ports of their colonies; but the generous character of the nation is a security to us, that their regulations can, in no instance, run counter to the laws of nature; and among the first of her laws, is that which bids us to succor those in distress. For an obedience to this law, Don Blas appears to have

Digitized by Google

suffered; and we are satisfied, it is because his case has not been able to penetrate to his Majesty's ministers, at least in its true colors. We would not choose to be committed by a formal solicitation, but we would wish you to avail yourself of any good opportunity of introducing the truth to the ear of the minister, and of satisfying him, that a redress of this hardship on the Governor, would be received here with pleasure, as a proof of respect to those laws of hospitality which we would certainly observe in a like case, as a mark of attention towards us, and of justice to an individual for whose sufferings we cannot but feel.

With the present letter, you will receive the public and other papers, as usual, and I shall thank you in return, for a regular communication of the best gazettes published in Madrid.

I have the honor to be, with sentiments of the most perfect esteem, Sir, your most obedient, and most humble servant.

TO MR. GRAND.

NEW YORK, April 23, 1790.

DEAR SIR,—You may remember that we were together at the Hotel de La Monnoye, to see Mr. Drost strike coins in his new manner, and that you were so kind as to speak with him afterwards on the subject of his coming to America. We are now in a condition to establish a mint, and should be desir-

Digitized by Google

ous of engaging him in it. I suppose him to be at present in the service of Watts and Bolton, the latter of whom you may remember to have been present with us at the Monnoye. I know no means of communicating our dispositions to Drost so effectually as through your friendly agency, and therefore take the liberty of asking you to write to him, to know what emoluments he receives from Watts and Bolton, and whether he would be willing to come to us for the same? If he will, you may give him an expectation, but without an absolute engagement, that we will call for him immediately, and that with himself, we may probably take and pay him for all the implements of coinage he may have, suited to our purpose. If he asks higher terms, he will naturally tell you so, and what they are; and we must reserve a right to consider of them. In either case, I will ask your answer as soon as possible. I need not observe to you, that this negotiation should be known to nobody but yourself, Drost and Mr. Short. The good old Dr. Franklin, so long the ornament of our country, and I may say, of the world, has at length closed his eminent career. He died on the 17th instant, of an imposthume of his lungs, which having suppurated and burst, he had not strength to throw off the matter, and was suffocated by it. His illness from this imposthume was of sixteen days. Congress wear mourning for him, by a resolve of their body.

I beg you to present my friendly respects to

Digitized by Google

Madame Grand, the elder and younger, and to your son, and believe me to be, with sentiments of great esteem and attachment, dear Sir, your most obedient, and most humble servant.

TO THE MARQUIS DE LA LUZERNE.

NEW YORK, April 30, 1790.

SIR,—When in the course of your legation to the United States, your affairs rendered it necessary that you should absent yourself awhile from that station, we flattered ourselves with the hope that that absence was not final. It turned out, in event, that the interests of your sovereign called for your talents and the exercise of your functions, in another quarter. You were pleased to announce this to the former Congress through their Secretary for Foreign Affairs, at a time when that body was closing its administration, in order to hand it over to a government then preparing on a different model. This government is now formed, organized, and in action; and it considers among its earliest duties, and assuredly among its most cordial, to testify to you the regret which the people and government of the United States felt at your removal from among them; a very general and sincere regret, and tempered only by the consolation of your personal advancement, which accompanied it. You will receive, Sir, by order of the President of the United States, as soon as they can be prepared, a medal and chain of gold,

Digitized by Google

of which he desires your acceptance, in token of their esteem, and of the sensibility with which they will ever recall your legation to their memory.

But as this compliment may hereafter be rendered to other missions, from which yours was distinguished by eminent circumstances, the President of the United States wishes to pay you the distinguished tribute of an express acknowledgment of your services, and our sense of them. You came to us, Sir, through all the perils which encompassed us on all sides. You found us struggling and suffering under difficulties, as singular and trying as our situation was new and unprecedented. Your magnanimous nation had taken side with us in the conflict, and yourself became the centre of our common councils, the link which connected our common operations. In that position you labored without ceasing, till all our labors were crowned with glory to your nation, freedom to ours, and benefit to both. During the whole, we had constant evidence of your zeal, your abilities, and your good faith. We desire to convey this testimony of it home to your own breast, and to that of your sovereign, our best and greatest friend; and this I do, Sir, in the name, and by the express instruction of the President of the United States.

I feel how flattering it is to me, Sir, to be the organ of the public sense on this occasion, and to be justified by that office, in adding to theirs, the homage of those sentiments of respect and esteem with which

Digitized by Google

I have the honor to be, your Excellency's most obedient, and most humble servant.

TO WILLIAM SHORT.

NEW YORK, April 30, 1790.

DEAR SIR,—My last letter to you was of the 6th instant, acknowledging the receipt of your favors of the 2d and 6th of January. Since that, Mr. Jay has put into my hands yours of the 12th of January, and I have received your note of February the 10th, accompanying some newspapers.

Mine of the 6th covered the President's letter to the King for my recall, and my letters of leave for myself and of credence to you, for the Count de Montmorin, with copies of them for your information. Duplicates of all these accompany the present; and an original commission for you as chargé des affaires, signed by the President. At the date of my former letters, I had not had time to examine with minuteness the proper form of credentials under our new Constitution: I governed myself, therefore, by foreign precedents, according to which a chargé des affaires is furnished with only a letter of credence from one Minister of Foreign Affairs to the other. Further researches have shown me, that under our new Constitution, all commissions (or papers amounting to that) must be signed by the President. You will judge whether any explanation on this subject to M. de Montmorin be necessary.

Digitized by Google

I enclose you also the copy of a letter written to the Marquis de La Luzerne, to be communicated to the Count de Montmorin, and by him to the King, if he thinks proper.

It has become necessary to determine on a present proper to be given to diplomatic characters on their taking leave of us; and it is concluded that a medal and chain of gold will be the most convenient. I have, therefore, to ask the favor of you to order the dies to be engraved with all the despatch practicable. The medal must be of thirty lines diameter, with a loop on the edge to receive the chain. On one side, must be the arms of the United States, of which I send you a written description, and several impressions in wax to render that more intelligible; round them, as a legend, must be "The United States of America." The device of the other side we do not decide on. One suggestion has been a Columbia (a fine female figure) delivering the emblems of peace and commerce to a Mercury, with a legend "Peace and Commerce" circumscribed, and the date of our republic, to wit, 4th July, MDCCLXXVI., subscribed as an exergum; but having little confidence in our own ideas in an art not familiar here, they are only suggested to you, to be altered, or altogether postponed to such better device as you may approve, on consulting with those who are in the habit and study of medals. Duvivier and Dupré seem to be the best workmen; perhaps the last is the best of the two.

Digitized by Google

The public papers which accompany this, will give you fully the news of this quarter.

I am, with great and sincere esteem, dear Sir, your most obedient, and most humble servant.

TO MR. THOMAS MANN RANDOLPH.

NEW YORK, May 30, 1790.

DEAR SIR,—I at length find myself, though not quite well, yet sufficiently so to resume business in a moderate degree. I have, therefore, to answer your two favors of April 23 and May 3, and in the first place to thank you for your attention to the Paccan, Gloucester and European walnuts, which will be great acquisitions at Monticello. I will still ask your attention to Mr. Foster's boring machines, lest he should go away suddenly, and the opportunity of getting it be lost. I enquired of Mr. Hamilton the quantity of coal imported; but he tells me there are not returns as yet sufficient to ascertain it; but as soon as there shall be I shall be informed. I am told there is a considerable prejudice against our coal in these Northern States. I do not know whence it proceeds; perhaps from the want of attention to the different species, and an ignorant application of them to cross purposes. I have not begun my meteorological diary, because I have not yet removed to the house I have taken. I remove to-morrow; but as far as I can judge from its aspects, there will not be one position to be had for the thermometer

Digitized by Google

free from the influence of the sun both morning and evening. However, as I go into it only till I can get a better, I shall hope ere long to find a less objectionable situation. You know that during my short stay at Monticello I kept a diary of the weather. Mr. Madison has just received one comprehending the same period, kept at his father's at Orange. The hours of observation were the same, and he has the fullest confidence in the accuracy of the observer. All the morning observations in Orange are lower than those of Monticello, from one to, I believe, fifteen or sixteen degrees; the afternoon observations are near as much higher as those of Monticello. Nor will the variations permit us to ascribe them to any supposed irregularities in either tube; because, in that case, at the same point the variation would always be the same, which it is not. You have often been sensible that in the afternoon, or rather evening, the air has become warmer in ascending the mountain. The same is true in the morning. This might account for a higher station of the mercury in the morning observations at Monticello. Again, when the air is equally dry in the lower and higher situations, which may be supposed the case in the warmest part of the day, the mercury should be lower on the latter, because, all other circumstances the same, the nearer the common surface the warmer the air. So that on a mountain it ought really to be warmer in the morning and cooler in the heat of the day than on the common plain, but not in so great

Digitized by Google

a degree as these observations indicate. As soon as I am well enough I intend to examine them more accurately. Your resolution to apply to the study of the law, is wise in my opinion, and at the same time to mix with it a good degree of attention to the farm. The one will relieve the other. The study of the law is useful in a variety of points of view. It qualifies a man to be useful to himself, to his neighbors, and to the public. It is the most certain stepping-stone to preferment in the political line. In political economy, I think Smith's Wealth of Nations the best book extant; in the science of government, Montesquieu's Spirit of Laws is generally recommended. It contains, indeed, a great number of political truths; but also an equal number of heresies: so that the reader must be constantly on his guard. There has been lately published a letter of Helvetius, who was the intimate friend of Montesquieu, and whom he consulted before the publication of his book. Helvetius advised him not to publish it; and in this letter to a friend he gives us a solution for the mixture of truth and error found in this book. He says Montesquieu was a man of immense reading; that he had commonplaced all his reading, and that his object was to throw the whole contents of his commonplace book into systematical order, and to show his ingenuity by reconciling the contradictory facts it presents. Locke's little book on Government, is perfect as far as it goes. Descending from theory to practice there is no better book

Digitized by Google

than the Federalist. Burgh's Political Disquisitions are good also, especially after reading De Lome. Several of Hume's Political Essays are good. There are some excellent books of theory written by Turgot and the economists of France. For parliamentary knowledge, the Lex Parliamentaria is the best book. On my return to Virginia in the fall, I cannot help hoping some practicable plan may be devised for your settling in Albemarle, should your inclination lead you to it. Nothing could contribute so much to my happiness were it at the same time consistent with yours. You might get into the Assembly for that county as soon as you should please.

A motion has been made in the Senate to remove the Federal Government to Philadelphia. There was a trial of strength on a question for a week's postponement. On that it was found there would be eleven for the removal, and thirteen against it. The motion was therefore withdrawn and made in the other house, where it is still depending, and of very uncertain event. The question of the assumption is again brought on. The parties were so nearly equal on the former trial that it is very possible, that with some modifications, it may yet prevail. The tonnage bill will probably pass, and must, I believe, produce salutary effects. It is a mark of energy in our government, in a case, I believe, where it cannot be parried. The French revolution still goes on well, though the danger of a suspension of payments is very imminent. Their appeal to the

Digitized by Google

inhabitants of their colonies to say on what footing they wish to be placed, will end, I hope, in our free admissions into their islands with our produce. This precedent must have consequences. It is impossible the world should continue long insensible to so evident a truth as that the right to have commerce and intercourse with our neighbors, is a natural right. To suppress this neighborly intercourse is an exercise of force, which we shall have a just right to remove when the superior force. Dear Sir, your affectionate friend.

TO WILLIAM SHORT.

NEW YORK, June 6, 1790.

DEAR SIR,—Having written to you so lately as the 27th of May, by M. de Crevecoeur, I have little new to communicate. My headache still continues in a slight degree, but I am able to do business. To-morrow I go on a sailing party of three or four days with the President. I am in hopes of being relieved entirely by the sickness I shall probably encounter. The President is perfectly re-established, and looks better than before his illness. The question of removal to Philadelphia was carried in the House of Representatives by 38, against 22. It is thought the Senate will be equally divided, and consequently that the decision will rest on the Vice-President, who will be himself divided between his own decided

Digitized by Google

inclinations to stay here, and the unpopularity of being the sole obstacle to what appears the wish of so great a majority of the people expressed by proportional representation. Rhode Island has at length acceded to the Union by a majority of two voices only, in their convention. Her Senators will be here in about ten days or a fortnight. The opposers of removal in the Senate try to draw out time till their arrival. Therefore, they have connected the resolution of the lower House with a bill originated with them to fix a permanent residence, and have referred both to the same committee. Deaths are, Colonel Bland at this place, and old Colonel Corbin in Virginia. The naming a minister for Paris, awaits the progress of a bill before the legislature. They will probably adjourn to the 1st of December, as soon as they have got through the money business. The funding bill is passed, by which the President is authorized to borrow money for transferring our foreign debt. But the ways and means bill being not yet passed, the loan cannot be commenced till the appropriations of revenue are made, which is to give credit to the loan. * * *

Remember me to all my friends, and be assured of the sincere esteem of, dear Sir, your affectionate friend and servant.

Digitized by Google

TO COLONEL GEORGE MASON.

NEW YORK, June 13, 1790.

DEAR SIR,—I have deferred acknowledging the receipt of your favor of March 16th, expecting daily that the business of the Consulships would have been finished. But this was delayed by the President's illness, and a very long one of my own, so that it is not till within these two or three days that it has been settled. That of Bordeaux is given to Mr. Fenwick, according to your desire. The commission is making out and will be signed to-morrow or next day.

I intended fully to have had the pleasure of seeing you at Gunstan Hall on my way here, but the roads being so bad that I was obliged to leave my own carriage to get along as it could, and to take my passage in the stage. I could not deviate from the stage road. I should have been happy in a conversation with you on the subject of our new government, of which, though I approve of the mass, I would wish to see some amendments, further than those which have been proposed, and fixing it more surely on a republican basis. I have great hopes that pressing forward with constancy to these amendments, they will be obtained before the want of them will do any harm. To secure the ground we gain, and gain what more we can, is, I think, the wisest course. I think much has been gained by the late constitution; for the former was terminating in anarchy, as necessarily consequent to inefficiency. The House of Repre-

Digitized by Google

sentatives have voted to remove to Baltimore, by a majority of 53, against 6. This was not the effect of choice, but of confusion into which they had been brought by the event of other questions, and their being hampered with the rules of the House. It is not certain what will be the vote of the Senate. Some hope an opening will be given to convert it into a vote of the temporary seat at Philadelphia, and the permanent one at Georgetown. The question of assumption will be brought on again, and its event is doubtful. Perhaps its opponents would be wiser to be less confident in their success, and to compromise by agreeing to assume the State debts still due to individuals, on condition of assuming to the States at the same time what they have paid to individuals, so as to put the States in the shoes of those of their creditors whom they have paid off. Great objections lie to this, but not so great as to an assumption of the unpaid debts only. My duties preventing me from mingling in these questions, I do not pretend to be very competent to their decision. In general, I think it necessary to give as well as take in a government like ours. I have some hope of visiting Virginia in the fall, in which case I shall still flatter myself with the pleasure of seeing you; in the meantime, I am, with unchanged esteem and respect, my dear Sir, your most obedient friend and servant.

Digitized by Google

TO DAVID RITTENHOUSE.

NEW YORK, June 14, 1790.

DEAR SIR,—I enclosed you the day before yesterday a rough draught of the report I had prepared on the subject of weights and measures. I have this morning received from Mr. Short a proposition made by the Bishop of Autun to the National Assembly of France, on the same subject, which I enclose you, and will beg the favor of you to return it by post after you shall have perused it. He mentions that the latitude of 45°, as being a middle term between the equator and pole, had been proposed as the general standard for measures, and he makes the proposition anew, and desires it may be made to England. As this degree of latitude is our northern boundary, as it may form a link between us and Europe, and as the degree which shall otherwise give the standard is not otherwise very material, I have thought of proposing it in my report instead of the 38th degree. I have in consequence gone over my calculations again upon the ground of a pendulum of 36.–8.428.(Sir Isaac Newton's calculation for 45°) 39.14912 inches giving a rod of 58.72368 inches, and reformed the tables (last page of the report), of which reformation I send you a copy. The alterations in the body of the work may be easily made from this. The Bishop says the pendulum has been calculated for 45° to be 36.–8.52. this $\frac{1}{10}$ of a line less than Sir Isaac Newton's, and the Bishop accord-

Digitized by Google

ingly adds, that there may be in this calculation an error of $\frac{1}{10}$ of a line.

I had taken no notice of the precaution of making the experiment of the pendulum on the sea shore, because the highest mountain in the United States would not add 1-5000 part to the length of the earth's radius, nor 1-128 of an inch to the length of the pendulum; the highest part of the Andes indeed might add about 1-1000 to the earth's radius, and 1-25 of an inch to the pendulum; as it has been thought worth mention, I will insert it also.

Your letter of April 20th, was duly attended to by me, but I fancy the successor had been decided on before it was known to the public that there would be a vacancy.

I am, with great esteem, my dear Sir, your sincere friend and humble servant.

TO DAVID RITTENHOUSE.

NEW YORK, June 20, 1790.

DEAR SIR,—I enclosed you on the 17th the alterations I had made in my report in consequence of the Bishop of Autun's proposition, which had come to my hands two days before. On the 18th, I received from Mr. Cutter in London a packet of newspapers, among which were the two enclosed, containing the speech in Parliament of Sir John Riggs Miller, on the subject of weights and measures. I observe, he states the estimate of 39.2 I. for the length of the

Digitized by Google

pendulum as confessedly erroneous. I had adopted it from memory only, and before I had been able to get a single book of any kind, in the first part of the report, wherein I endeavor to ascertain and fix invariably the system of measures and weights now in use with us. But before I proceeded to the second part, proposing a thorough reform, and reducing the whole to the decimal ratio, I had been able to procure here a copy of the Principia, and so to recur to the fountain head for Sir I. Newton's calculations, and then added the note, which you will find page 3 of the report, doubting what could have been the foundation of the common imputation of the estimate of 39.2 to Sir I. Newton, and stating the grounds of that of 39.1682 for the latitude of 51° 31′ of 39.1285 for 38°, which I had at first adopted, and 39.14912 for 45°, which I took on receiving the Bishop of Autun's proposition. I have now thought I might venture to take for granted, that the estimate of 39.2 is as erroneous as I had supposed it, and therefore to expunge it from the first branch of the report, and substitute in its stead 39.1682; and to change a passage under the head of "Measures of length" into the following form:

"They furnish no means to persons at a distance of knowing what this standard is. This, however, is supplied by the evidence of the second pendulum, which, according to the authority before quoted, being 39.1682 I. for the latitude of London, and consequently the second rod for the same latitude

Digitized by Google

being 58.7523, we are first to find by actual trial the rod for 45°, and to add to that $\frac{2817}{10000}$ of an inch, or rather $\frac{8}{10}$ of a line (which in practice will endanger less error than an attempt at so minute a fraction as 10,000th parts of an inch), this will give us the true measure of $58\frac{3}{4}$ English inches. Or, to shorten the operation, and yet obtain the result we seek, let the standard rod of 45° be divided into $587\frac{1}{8}$ equal parts, and let each of these parts be declared a line, and ten lines an inch," etc.

I propose also to strike out the note (page 3) before mentioned, and to substitute the following in its place:

"The length of the pendulum has been differently estimated by different persons. Knowing no reason to respect any of them more than Sir Isaac Newton for skill, care, or candor, I had adopted his estimate of 39.149 I. for our northern limit of 45°, before I saw the different propositions of the Bishop of Autun, and Sir John Riggs Miller. The first of these gentlemen quotes Mairan's calculation for 48° 50′, the latitude of Paris, to wit, 504 : 257 : : 72 : to a 4th proportional, which will be 36.71428 = 39.1923 inches. The difference between the pendulum for 48° 50′ and 45°, as calculated by Sir I. Newton, is .0112 I.: so that the pendulum for 45° would be estimated, according to the Bishop of Autun, at 39.1923—.0112 = 39.1811. Sir John Riggs Miller proposes 39.126, being Graham's determination for 51° 31′, the latitude of London. The difference between the pendulum for 51° 31′, and 45° by Sir

Digitized by Google

I. Newton, is .019 I., so that the pendulum for 45° should be estimated according to Sir J. R. Miller, at 39.126—.019=39.107 I. Now, dividing our respect between these two results, by taking their mean, to wit, $\frac{39.181+39.107}{2}=39.144$, we find ourselves almost exactly with Sir I. Newton, whose estimate of 39.149 we had already adopted."

I propose also to reform a passage under the head of Weights, in the first branch of the report, to stand thus:

"Let it then be established, that an ounce is the weight of a cube of rain water of one-tenth of a foot, *or rather, that it is the thousandth part of the weight of a cubic foot of rain water* weighed in the standard temperature," etc.

All which I submit to your judgment, and I will ask you particularly to examine the numbers .0112 and .019, as I have no help here to find them otherwise than by approximation. I have wished much, but in vain, Emerson's and Ferguson's books here. In short, I never was cut off from the resources of my own books and papers at so unlucky a moment. There is a Count Andriani, of Milan, here, who says there is a work on the subject of weights and measures published by Trisi of Milan. Perhaps you may have it at Philadelphia, and be able to send it to me. Were it not for my confidence in your assistance, I should not have ventured to take up this business till I received my books.

I am, my dear Sir, with great and sincere esteem, your friend and servant.

Digitized by Google

TO JAMES MONROE.

NEW YORK, June 20, 1790.

DEAR SIR,—An attack of a periodical headache, which, though violent for a few days only, yet kept me long in a lingering state, has hitherto prevented my sooner acknowledging the receipt of your favor of May 26. I hope the uneasiness of Mrs. Monroe and yourself has been removed by the re-establishment of your daughter. We have been in hopes of seeing her here, and fear at length some change in her arrangements for that purpose.

Congress has been long embarrassed by two of the most irritating questions that ever can be raised among them: 1, the funding the public debt, and 2, the fixing on a more central residence. After exhausting their arguments and patience on these subjects, they have for some time been resting on their oars, unable to get along as to these businesses, and indisposed to attend to anything else, till they are settled. And, in fine, it has become probable, that unless they can be reconciled by some plan of compromise, there will be no funding bill agreed to, our credit (raised by late prospects to be the first on the exchange at Amsterdam, where our paper is above par) will burst and vanish, and the States separate, to take care every one of itself. This prospect appears probable to some well-informed and well-disposed minds. Endeavors are, therefore, using to bring about a disposition to some

Digitized by Google

mutual sacrifices. The assumption of State debts has appeared as revolting to several States as their non-assumption to others. It is proposed to strip the proposition of the injustice it would have done by leaving the States who have redeemed much of their debts on no better footing than those who have redeemed none; on the contrary, it is recommended to assume a fixed sum, allotting a portion of it to every State in proportion to its census. Consequently, every State will receive exactly what they will have to pay, or they will be exonerated so far by the general government's taking their creditors off their hands. There will be no injustice then. But there will be the objection still, that Congress must then lay taxes for those debts which would have been much better laid and collected by the State governments. And this is the objection on which the accommodation now hangs with the non-assumptioners, many of whom committed themselves in their advocation of the new Constitution, by arguments drawn from the improbability that Congress would ever lay taxes where the States could do it separately. These gentlemen feel the reproaches which will be levelled at them personally. I have been, and still am of their opinion, that Congress should always prefer letting the States raise money in their own way, where it can be done. But in the present instance, I see the necessity of yielding to the cries of the creditors in certain parts of the Union; for the sake of union, and to save us from

Digitized by Google

the greatest of all calamities, the total extinction of our credit in Europe. On the other hand, it is proposed to pass an act fixing the temporary residence of twelve or fifteen years at Philadelphia, and that at the end of that time, it shall stand *ipso facto*, and without further declaration transferred to Georgetown. In this way, there will be something to displease and something to soothe every part of the Union but New York, which must be contented with what she has had. If this plan of compromise does not take place, I fear one infinitely worse, an unqualified assumption and the perpetual residence on the Delaware. The Pennsylvania and Virginia delegates have conducted themselves honorably and unexceptionably, on the question of residence. Without descending to talk about bargains, they have seen that their true interests lay in not listening to insidious propositions, made to divide and defect them, and we have seen them at times voting against their respective wishes rather than separate.

In France, the revolution goes on surely but slowly. On the rest of the continent, a league is formed between Prussia, Poland, Sweden, and Turkey, and openly patronized by England and Holland, against the two empires, one of which is convulsed by internal divisions. But the last packet brings still more interesting news. The day before the mail came away, a message was sent to the two Houses by the King, complaining of the capture of two British ships at Nootka Sound by the Spaniards,

Digitized by Google

under pretence of an exclusive right to that coast, that the King had demanded satisfaction, and in the meantime was arming, to enforce it. The Houses unanimously promised support, and it was evident they would accept nothing short of an extensive renunciation from Spain as to her American pretensions. Perhaps she is determined to be satisfied with nothing but war, dismemberment of the Spanish empire, and annihilation of her fleet. Nor does her countenance towards us clear up at all.

I flatter myself with being in Virginia in the autumn. The particular time depends upon too many contingencies to be now fixed. I shall hope the pleasure of seeing yourself and Mrs. Monroe either in Albemarle or wherever our route may cross each other. Present me affectionately to her and to my good neighbors generally, and be assured of the great and sincere esteem of, dear Sir, your affectionate friend and humble servant.

TO MR. JOHN COFFIN JONES.

NEW YORK, June 23, 1790.

SIR,—I duly received your favor of May 1st, and communicated to the President the part relative to Mr. Laneguy, who would have been disposed to pay all possible respect to your recommendation. The first rule on that subject was to appoint a native Consul wherever a good one would accept of it; but where no native could be found, the person in pos-

Digitized by Google

session was confirmed. Dr. Franklin had appointed a Mr. Cathalan as agent, early in the war, a very substantial merchant of Marseilles. He and his son have paid great attention to our concerns there, had much trouble, and no emolument from it. It was thought unjust to remove him without cause. The commission is given to the son, as being otherwise well qualified, and particularly as understanding well our language and usages, acquired by a residence in England. A bill which may be called the true navigation act for the United States, is before Congress, and will probably pass. I hope it will lay the foundation of a due share of navigation for us. I am, with great esteem, Sir, your most obedient humble servant.

TO MR. DUMAS.

NEW YORK, June 23, 1790.

DEAR SIR,—I arrived at this place the latter end of March, and undertook the office to which the President had been pleased to appoint me, of Secretary of State, which comprehends that of Foreign Affairs. Before I had got through the most pressing matters which had been accumulating, a long illness came upon me, and put it out of my power for many weeks to acknowledge the receipt of your letters.

* * * * * * * *

We are much pleased to learn the credit of our paper at Amsterdam. We consider it as of the first

Digitized by Google

importance, to possess the first credit there, and to use it little. Our distance from the wars of Europe, and our disposition to take no part in them, will, we hope, enable us to keep clear of the debts which they occasion to other powers. It will be well for yourself and our bankers to keep in mind always, that a great distinction is made here, between our foreign and domestic paper. As to the foreign, Congress is considered as the representative of one party only, and I think I can say with truth, that there is not one single individual in the United States, either in or out of office, who supposes they can ever do anything which might impair their foreign contracts. But with respect to domestic paper, it is thought that Congress, being the representative of both parties, may shape their contracts so as to render them practicable, only seeing that substantial justice be done. This distinction will explain to you their proceedings on the subject of their debts. The funding their foreign debts, according to express contract, passed without a debate and without a dissenting voice. The modelling and funding the domestic debt, occasions great debates, and great difficulty. The bill of ways and means was lately thrown out, because an excise was interwoven into its texture; and another ordered to be brought in, which will be clear of that. The assumption of the debts contracted by the States to individuals, for services rendered the Union, is a measure which divides Congress greatly. Some think that the States could much

Digitized by Google

more conveniently levy taxes themselves to pay off these, and thus save Congress from the odium of imposing too heavy burthens in their name. This appears to have been the sentiment of the majority hitherto. But it is possible that modifications may be proposed, which may bring the measure yet into an acceptable form. We shall receive with gratitude the copy of Rymer's Federa, which you are so good as to propose for the use of our offices here.

I have the honor to be, with great esteem, dear Sir, your most obedient, and most humble servant.

TO MR. LESLIE.

NEW YORK, June 27, 1790.

SIR,—I find among the letters to Mr. Jay, one on the subject of the vibrating rod thought of by you for a standard of measure; and I have received from Mr. Madison a manuscript pamphlet of yours on the same subject. Congress having referred to me to propose a plan of invariable measures, I have considered maturely your proposition, and am abundantly satisfied of its utility; so that if I can have your leave, I mean to propose in my report to adopt the rod in preference to the pendulum, mentioning expressly that we are indebted to you for the idea. Should they concur with me in opinion, it is possible that in carrying it into execution we may have occasion to engage your assistance in the proper adjustment of it, as well on account of your abilities in that

Digitized by Google

line generally, as for the peculiar interest you would feel in the success of the experiment. Mr. Cox's letter to Mr. Jay seems to imply that you had communicated your idea that I might avail myself of it in the subject referred to me. But I think it justice to ask your express permission, and that you will be so good as to give me an answer by return of post. I am, Sir, your most obedient humble servant.

TO BENJAMIN VAUGHAN.

NEW YORK, June 27, 1790.

DEAR SIR,—Your favor of March 27th came duly to hand on the 12th instant, as did your very valuable present, the dry rice, brought from the Moluccas, by Lieut. Blight. I immediately sent a few seeds to Virginia, where I am in hopes there would still be force of summer sufficient to mature it. I reserve a little for next spring, besides sowing some in pots, from which I have now twenty-three young plants, just come up. I fear, however, there is not summer enough remaining here to ripen them, without the uncertain aid of a hot house. Upon your encouragement, I think I shall venture to write to Mr. Hinton Este, of Jamaica, on the subject. You will have known that we had lost Dr. Franklin before your letter came to hand; consequently, the relation of Lieut. Blight's adventure, which you were so kind as to send, rests with me.

Though large countries within our Union are

Digitized by Google

covered with the sugar maple, as heavily as can be conceived, and that this tree yields a sugar equal to the best from the cane, yields it in great quantity, with no other labor than what the women and girls can bestow, who attend to the drawing off and boiling the liquor, and the trees when skilfully tapped will last a great number of years, yet the ease with which we had formerly got cane sugar, had prevented our attending to this resource. Late difficulties in the sugar trade have excited attention to our sugar trees, and it seems fully believed by judicious persons, that we cannot only supply our own demand, but make for exportation. I will send you a sample of it, if I can find a conveyance without passing it through the expensive one of the post. What a blessing to substitute a sugar which requires only the labor of children, for that which is said to render the slavery of the blacks necessary.

An act of Congress authorizing the issuing of patents for new discoveries has given a spring to invention beyond my conception. Being an instrument in granting the patents, I am acquainted with their discoveries. Many of them indeed are trifling, but there are some of great consequence, which have been proved by practice, and others which, if they stand the same proof, will produce great effect. Yesterday the man who built the famous bridge from Boston to Charlestown, was with me, asking a patent for a pile engine of his own construction. He communicated to me another fact, of which he makes

Digitized by Google

no secret, and it is important. He was formerly concerned in ship building, but for thirty years past has been a bridge builder. He had early in life observed, on examining worm-eaten ships, that the worms never eat within the seams where the corking chisel enters, and the oil, etc. He had observed that the whaling vessels would be eaten to a honey-comb, except a little above and below water, where the whale is brought in contact with the vessel, and lies beating against it till it is cut up. A plank lying under water at a mill of his had been obliged to be removed annually, because eaten up by the worms in the course of the year. At length a plank was accidentally put down which for some purpose had been thoroughly impregnated with oil. It remained seven years without being affected. Hence he took the idea of impregnating the timbers of his bridges thoroughly with oil, by heating the timber as deeply as possible, and doing it well in that state with the liver oil of the codfish. He has practiced this for thirty years, and there is no instance of the worm attacking his timbers, while those in neighboring places are immediately destroyed. He has used the liver oil of the cod, because very thick, and therefore, as he supposes, more permanent in its effect. He supposes some other oils might do, but cannot speak of them experimentally. He says there will be no difficulty in heating the planks of a ship after they are put on, as well as before; but I do not recollect his mentioning ever to have tried it in the case of a ship.

Digitized by Google

I am fixed here by the desire of my countrymen; consequently less in the way of communications in letters and the arts than I used to be. The continuance of your communications in that way will now be received with double thankfulness.

We are told you are going to war. Peace and profit will, I hope, be our lot. A high price and sure market for our productions, and no want of carrying business will, I hope, enable my countrymen to pay off both their private and public debts.

I am, with sentiments of sincere esteem, dear Sir, your sincere friend and servant.

TO DR. GILMER.

NEW YORK, June 27, 1790.

DEAR DOCTOR,—I have duly received your favor of May 21st, and thank you for the details it contains. Congressional proceedings go on rather heavily. The question for assuming the State debts, has created greater animosities than I ever yet saw take place on any occasion. There are three ways in which it may yet terminate. 1. A rejection of the measure, which will prevent their funding any part of the public debt, and will be something very like a dissolution of the government. 2. A bargain between the eastern members, who have it so much at heart, and the middle members, who are indifferent about it, to adopt those debts without any modification, on condition of removing the seat of

Digitized by Google

government to Philadelphia or Baltimore. 3. An adoption of them with this modification, that the whole sum to be assumed shall be divided among the States in proportion to their census; so that each shall receive as much as they are to pay; and perhaps this might bring about so much good humor as to induce them to give the temporary seat of government to Philadelphia, and then to Georgetown permanently. It is evident that this last is the least bad of all the turns the thing can take. The only objection to it will be, that Congress will then have to lay and collect taxes to pay these debts, which could much better have been laid and collected by the State governments. This, though an evil, is a less one than any of the others in which it may issue, and will probably give us the seat of Government at a day not very distant, which will vivify our agriculture and commerce by circulating through our State an additional sum every year of half a million of dollars. When the last packet left England, there was great appearance of an immediate rupture with Spain. Should that take place, France will become a party. I hope peace and profit will be our share. Present my best respects to Mrs. Gilmer, and my enquiring neighbors.

I am, dear Doctor, your affectionate friend and servant.

Digitized by Google

TO MR. BOUDINOT.

NEW YORK, June 29, 1790.

SIR,—As it is desirable we should receive from our Consuls an exact report of all our vessels with their cargoes which go to the countries of their residence, such fees appear necessary as may induce them to be watchful that every such vessel is noted. At the same time, the fee should not be so large as to induce them to connive at foreign vessels reporting themselves as American, merely to give them the fee; five and ten dollars appear to me well proportioned.

While I was in Europe I found there was a great want of some legal mode of taking and authenticating instruments and evidence in general, to be sent to this country; such as depositions, affidavits, copies of wills, records, deeds, powers of attorney, etc. I thought it would be proper, as soon as we should have Consuls established, to make their authentications under the seal of their office, good evidence in our courts. I take the liberty of submitting to you whether a clause for these purposes might not be properly placed in this bill. I assure you the occasions for it are extremely frequent.

I have the honor to be, with great esteem, Sir, your most obedient humble servant.

Digitized by Google

TO DAVID RITTENHOUSE.

NEW YORK, June 30, 1790.

DEAR SIR,—Your favor of the 25th came to hand last night, for which I give you many thanks. The conversion of 36.71428 pouces into 39.1923 inches, was an error in division, and consequently the mean taken between that and Graham's computation is wrong. It has rendered it necessary for me to suppress the note on that subject, and to put it into the form now enclosed. In this I state the reason for adopting 11–3 pouces as the equivalent of the English foot. It is so stated by D'Alembert in the Encyclopedie, and retained in the new Encyclopedie. To have changed it for 11–3.11 Mashelynci's measure, would have obliged me to have formed all my calculations anew, which would have exposed me to new errors of calculation; and added to the trouble and delay it would have occasioned, did not seem worth while for so small a fraction as 11-100 of a line, or the 1227th of a foot. I suppose, too, that the operation concerting between the French and English will soon furnish us with a new and more certain equation of their feet. I still like the rod rather than the pendulum, because I do not know a single objection to it which does not lie to the pendulum, because it is clear of some objections to which that is liable, but most of all, because 1-5 of the second rod is much nearer the present foot than 1-3 of the second pendulum. After all, should the French and English adopt

Digitized by Google

the pendulum, we shall be free to do so also. I state on the enclosed paper a very loose answer to the 5th objection, which is the only one I can give. Can you suggest something more precise? As there is an idea that Congress will rise about the middle of July, I shall only await the answer you will be so good as to make to this, and then give in my report. This day, I fancy, will determine whether we are to be removed to Philadelphia or not; for though it will still be put to the question several times before its ultimate passage, yet I think if this day's vote of the Senate is favorable, it will pass safely through all the subsequent stages. It would have been a great comfort to me to have been near you during the preparation of this business of weights and measures. It is much easier to avoid errors by having good information at first, than to unravel and correct them after they are committed. I recommend to Congress the deferring to proceed on the report till the next session, and reserve to myself an opening to add any new matter which may occur in the meantime.

I am, with great and sincere esteem, dear Sir, your affectionate friend and servant.

TO WILLIAM SHORT.

NEW YORK, July 1, 1790.

DEAR SIR,—A bill has passed two readings in the Senate for removing the seat of government to Phil-

Digitized by Google

adelphia, there to remain ten years, and then to be established permanently in Georgetown. It is to receive its third reading to-day, and it depends on a single vote, yet I believe we may count surely that it will pass that house. As it originated there, it will then have to pass the lower house; where, however, I believe it is very secure of a majority. I apprehend this news must reach you too late to send my baggage to Philadelphia instead of this place; however, to take the chance of any unexpected delay which may have attended its departure, I drop you this line by a vessel sailing this morning to Dunkirk, to pray you (if my baggage is not already embarked, or so engaged for its passage as not to admit a change of destination), that you will have it sent to Philadelphia directly. The having to send it from one port to another in the United States, costs as much nearly as the freight across the Atlantic, besides the custom-house difficulties. I think it better to wait an opportunity from thence to Philadelphia, should there not be an immediate one, than that it should make a double voyage. No time to add anything else, but that all is well. Adieu. Yours affectionately.

TO COL. N. LEWIS.

NEW YORK, July 4, 1790.

DEAR SIR,—I wrote you last on the 13th of June. The Senate have passed the bill for fixing the resi-

Digitized by Google

dence of Congress at Philadelphia for ten years, and then permanently at Georgetown; it has been read once or twice in the House of Representatives, and will be ultimately decided on the day after to-morrow. I believe it will pass there by a considerable majority. I imagine we shall remove from hence early in September, which will consequently be the time for my paying a short visit to Monticello. There is reason to expect a rupture has taken place between Spain and England. If so, it will involve France, and so render the present war of Europe almost universal there. I hope they will all see it their interest to let us make bread for them in peace, and to give us a good price for it. We have every moral certainty that wheat will be high for years to come. I cannot, therefore, my dear Sir, omit to press, for myself, the going into that culture as much as you think practicable. In Albemarle, I presume we may lay aside tobacco entirely; and in Bedford, the more we can lay it aside the happier I shall be. I believe it cannot there be entirely discontinued, for want of open lands. I will also be obliged to you to give such orders for preparing for the next year's crop in the plantation given to Mr. Randolph, as you would for me, were it to remain in my hands. I know he will be glad to have as much wheat sowed as possible. While good crops of grain, and a good price for them, will prepare a good income, if we can avoid paying that away to the stores, all will be well. For this purpose, it is vastly desirable to be getting under

Digitized by Google

way with our domestic cultivation and manufacture of hemp, flax, cotton and wool for the negroes. If we may decide from past experience, we may safely say that war and domestic manufacture are more gainful than peace and store supplies. The present price of wheat here is a dollar a bushel.

Present my best esteem to Mrs. Lewis and your family. I am, dear Sir, your affectionate friend and humble servant.

TO EDWARD RUTLEDGE, ESQ.

NEW YORK, July 4, 1790.

DEAR SIR,—Your favor of April 28 came to hand May 11, and found me under a severe indisposition, which kept me from all business more than a month, and still permits me to apply but very sparingly. That of June 20 was delivered me two days ago by young Mr. Middleton, whom I was very glad to see, as I am everybody and everything which comes from you. It will give me great pleasure to be of any use to him, on his father's account as well as yours.

In yours of April 28 you mention Dr. Turnbull's opinion that force alone can do our business with the Algerines. I am glad to have the concurrence of so good an authority on that point. I am clear myself that nothing but a perpetual cruise against them, or at least for eight months of the year, and for several years, can put an end to their piracies; and I believe that a confederacy of the nations not in treaty with

Digitized by Google

them can be effected, so as to make that perpetual cruise, or our share of it, a very light thing, as soon as we shall have money to answer even a light thing; and I am in hopes this may shortly be the case. I participate fully of your indignation at the trammels imposed on our commerce with Great Britain. Some attempts have been made in Congress, and others are still making to meet their restrictions by effectual restriction on our part. It was proposed to double the foreign tonnage for a certain time, and after that to prohibit the exportation of our commodities in the vessels of nations not in treaty with us. This has been rejected. It is now proposed to prohibit any nation from bringing or carrying in their vessels what may not be brought or carried in ours from or to the same ports; also to prohibit those from bringing to us anything not of their own produce, who prohibit us from carrying to them anything but our own produce. It is thought, however, that this cannot be carried. The fear is that it would irritate Great Britain were we to feel any irritation ourselves. You will see by the debates of Congress that there are good men and bold men, and sensible men, who publicly avow these sentiments. Your observations on the expediency of making short treaties, are most sound. Our situation is too changing and too improving to render an unchangeable treaty expedient for us. But what are these enquiries on the part of the British minister which leads you to think he means to treat? May they not look to some other

Digitized by Google

object? I suspect they do; and can no otherwise reconcile all circumstances. I would thank you for a communication of any facts on this subject.

Some questions have lately agitated the minds of Congress more than the friends of union on catholic principles would have wished. The general assumption of State debts has been as warmly demanded by some States, as warmly rejected by others. I hope still that this question may be so divested of the injustice imputed to it as to be compromised. The question of residence, you know, was always a heating one. A bill has passed the Senate for fixing this at Philadelphia ten years, and then at Georgetown; and it is rather probable it will pass the lower house. That question then will be put to sleep for ten years; and this and the funding business being once out of the way, I hope nothing else may be able to call up local principles. If the war between Spain and England takes place, I think France will inevitably be involved in it. In that case I hope the new world will fatten on the follies of the old. If we can but establish the armed neutrality for ourselves, we must become the carriers for all parties as far as we can raise vessels.

The President had a hair-breadth escape; but he is now perfectly re-established, and looks much better than before he was sick. I expect daily to see your nephew, Mr. J. Rutledge, arrive here, as he wrote me by the May packet that he would come in that of June. He is a very hopeful young man,

Digitized by Google

sensible, well-informed, prudent and cool. Our southern sun has been accused of sometimes sublimating the temper too highly. I wish all could think as coolly, but as soundly and firmly as you do. Adieu, my dear friend. Yours affectionately.

TO MR. DUMAS.

NEW YORK, July 13, 1790.

SIR,—I wrote you last on the 23d of June, since which I have received yours of March the 24th to the 30th.

* * * * * * * *

Congress are still engaged in their funding bills. The foreign debts did not admit of any difference of opinion. They were settled by a single and unanimous vote; but the domestic debt, requiring modifications and settlements, these produce great difference of opinion, and consequently retard the passage of the funding bill. The States had individually contracted considerable debts for their particular defence, in addition to what was done by Congress. Some of the States have so exerted themselves since the war, as to have paid off near the half of their individual debts. Others have done nothing. The State creditors urge, that these debts were as much for general purposes as those contracted by Congress, and insist that Congress shall assume and pay such of them as have not been yet paid by their own States. The States who have exerted themselves

Digitized by Google

most, find that, notwithstanding the great payments they have made, they shall by this assumption, still have nearly as much to pay as if they had never paid anything. They are therefore opposed to it. I am in hopes a compromise will be effected by a proportional assumption, which may reach a great part of the debts, and leave still a part of them to be paid by those States who have paid few or none of their creditors. This being once settled, Congress will probably adjourn, and meet again in December, at Philadelphia. The appearance of war between our two neighbors, Spain and England, would render a longer adjournment inexpedient.

I have the honor to be, with great esteem, dear Sir, your most obedient, and most humble servant.

TO DR. GILMER.

NEW YORK, July 25, 1790.

DEAR DOCTOR,—I wrote you last on the 27th of June. Since that we have had great appearances of an explosion between Spain and England. Circumstances still indicate war. The strongest fact against it is that a British ambassador is actually gone to Madrid. If there be war, France will probably embark in it. I do not think it can disturb her revolution, that is so far advanced as to be out of danger. Be these things as they may, there will be war enough to ensure us great prices for wheat for years to come, and if we are wise we shall become

Digitized by Google

wealthy. McGillivray, and about thirty Creek chiefs, are here. We are in hopes this visit will ensure the continuance of peace with them. The assumption in a proportionate form is likely to pass. The sum to be assumed is twenty-one millions. Of this three and a half millions are allotted to Virginia, being the exact sum it is supposed she will have to contribute of the whole assumption, and sufficient also to cover the whole of her remaining domestic debt. Being therefore to receive exactly what she is to pay, she will neither lose nor gain by the measure. The principal objection now is, that all the debts, general and State, will be to be raised by tax on imposts, which will thus be overburthened; whereas had the States been left to pay the debts themselves, they could have done it by taxes on land and other property, which would thus have lightened the burthen on commerce. However, the measure was so vehemently called for by the State creditors in some parts of the Union, that it seems to be one of those cases where some sacrifice of opinion is necessary for the sake of peace. Congress will probably rise between the 6th and 13th of August. The President will soon after that go to Mount Vernon, and I shall take advantage of the interregnum to see my neighbors in Albemarle, and to meet my family there. I suppose it will be the 1st of September before I can set out from this place, and shall take that occasion of having my affairs removed hence to Philadelphia. Present me affectionately to Mrs. Gilmer and all my

Digitized by Google

friends. Adieu, dear Doctor, your sincere friend and humble servant.

TO WILLIAM SHORT.

NEW YORK, July 26, 1790.

DEAR SIR,—My public letters to you have been of the 28th of March, the 6th and 30th of April. Yours, which remain to be acknowledged, are of March the 9th, 17th, 29th, April the 4th, 12th, 23d, and May the 1st; being from No. 21 to 28 inclusive, except No. 23, which had come to hand before. I will state to you the dates of all your letters received by me, with the times they have been received, and length of their passage.

* * * * * * * *

You will perceive that they average eleven weeks and a half; that the quickest are of nine weeks, and the longest are of near eighteen weeks coming. Our information through the English papers, is of about five or six weeks, and we generally remain as long afterwards in anxious suspense, till the receipt of your letters may enable us to decide what articles of those papers have been true. As these come principally by the English packet, I will take the liberty of asking you to write always by that packet, giving a full detail of such events as may be communicated through that channel; and indeed most may. If your letters leave Paris nine or ten days before the sailing of the packet, we shall be able to decide,

Digitized by Google

on the moment, on the facts, true or false, with which she comes charged. For communications of a secret nature, you will avail yourself of other conveyances, and you will be enabled to judge which are best, by the preceding statement. News from Europe is very interesting at this moment, when it is so doubtful whether a war will take place between our two neighbors.

Congress have passed an act for establishing the seat of government at Georgetown, from the year 1800, and in the meantime, to remove to Philadelphia. It is to that place, therefore, that your future letters had better be addressed. They have still before them the bill for funding the public debts. That has been hitherto delayed by a question, whether the debts contracted by the particular States for general purposes, should, at once, be assumed by the General Government. A development of circumstances, and more mature consideration, seem to have produced some change of opinion on the subject. When it was first proposed, a majority was against it. There is reason to believe, by the complexion of some later votes, that the majority will now be for assuming these debts to a fixed amount. Twenty-one millions of dollars are proposed. As soon as this point is settled, the funding bill will pass, and Congress will adjourn. That adjournment will probably be between the 6th and 13th of August. They expect it sooner. I shall then be enabled to inform you, ultimately, on the subject

Digitized by Google

of the French debt, the negotiations for the payment of which will be referred to the executive, and will not be retarded by them an unnecessary moment. A bill has passed, authorizing the President to raise the salary of a chargé des affaires to four thousand five hundred dollars, from the first day of July last. I am authorized by him to inform you, that yours will accordingly be at that rate, and that you will be allowed for gazettes, translating or printing papers where that shall be necessary, postage, couriers, and necessary aids to poor American *sailors*, in addition to the salary, and no charge of any other description, except where you may be directed to incur it expressly. I have thought it would be most agreeable to you to give you precise information, that you may be in no doubt in what manner to state your accounts. Be pleased to settle your account down to the 1st of July last, and state the balance then due which will be to be paid out of the former fund. From that day downwards, a new account must be opened, because a new fund is appropriated to it, from that time. The expenses for the medals, directed in my letter of April the 30th, must enter into the new account. As I presume the die will be finished by the time you receive this, I have to desire you will have a medal of gold struck for the Marquis de La Luzerne, and have put to it a chain of three hundred and sixty-five links, each link containing gold to the value of two dollars and a half, or thirteen livres and ten sous. The links to be of plain wire,

Digitized by Google

so that their workmanship may cost as it were nothing. The whole will make a present of little more than one thousand dollars, including the medal and chain. As soon as done, be pleased to forward them by a safe hand to the Marquis de La Luzerne, in the name of the President of the United States, informing him that it is the one spoken of in my letter to him of April the 30th, 1790. Say nothing to anybody of the value of the present, because that will not always be the same, in all cases. Be so good as to have a second medal of gold struck in the same die, and to send this second, together with the dies, to Philadelphia, by the first safe person who shall be passing; no chain to be sent with this.

We are impatient to learn the progress and prospect of the Algerine business. Do not let it languish a moment, nor leave us a moment uninformed of anything relative to it. It is in truth a tender business, and more felt as such in this, than in any other country. The suppression of the farms of tobacco, and the free importation of our salted provisions, will merit all your attention. They are both of them objects of first-rate importance.

The following appointments of consuls have taken place.

* * * * * * * *

Their jurisdictions, in general, extend to all places within the same allegiance, which are nearer to them than to the residence of any other consul or vice-consul. As yet, only their commissions have been

Digitized by Google

made out. General instructions await the passage of a bill now depending. Mr. La Forest, at this place, remarked our appointment of consuls in the French islands. In the first project of a convention proposed on the part of France, the expressions reached expressly to the kingdom of France only. I objected to this in writing, as being narrower than the twenty-ninth article of the treaty of amity, which was the basis of the consular convention, and which had granted the appointment of consuls and vice-consuls, in their respective "States and ports," generally, and without restriction. On this, the word "France" was struck out, and the "dominions of the M. C. K." inserted everywhere. See the fifth, ninth, twelfth, thirteenth and fifteenth articles particularly, of the copy of the draughts of 1784 and 1788, as I had them printed side by side. The object of this alteration was, the appointment of consuls in the free ports allowed us in the French West Indies, where our commerce has greater need of protection than anywhere. I mention these things that you may be prepared, should anything be said to you on the subject. I am persuaded the appointment will contribute eminently to the preservation of harmony between us. These consuls will be able to prevent the misunderstandings which arise frequently now between the officers there and our traders, and which are doubtless much exaggerated and misrepresented to us by the latter.

I duly received the copy you were so kind as to

Digitized by Google

send me of the Bishop of Autun's proposition, on the subject of weights and measures. It happened to arrive in the moment I was about giving in to Congress a report on the same subject, which they had referred to me. In consequence of the Bishop of Autun's proposition, I made an alteration in my report, substituting forty-five degrees instead of thirty-eight degrees, which I had at first proposed as a standard latitude. I send you a copy of my report for the Bishop, and another for M. Condorcet, Secretary of the Academy of Sciences. By taking the second pendulum or rod of the same latitude, for the basis of our measures, it will at least furnish a common measure to which both our systems will refer, provided our experiments on the pendulum or rod of forty-five degrees should yield exactly the same result with theirs.

The newspapers, as usual, will accompany the present, which is to go by Mr. Barrett.

I have the honor to be, with great esteem and attachment, dear Sir, your most obedient and most humble servant.

TO WILLIAM CARMICHAEL.

NEW YORK, August 2, 1790.

DEAR SIR,—This letter will be delivered to you by Colonel Humphreys, whose character is so well known to you as to need no recommendations from me. The present appearances of war between our

Digitized by Google

two neighbors Spain and England, cannot but excite all our attention. The part we are to act is uncertain, and will be difficult. The unsettled state of our dispute with Spain, may give a turn to it very different from what we would wish. As it is important that you should be fully apprized of our way of thinking on this subject, I have sketched, in the enclosed paper, general heads of consideration arising from present circumstances. These will be readily developed by your own reflections, and in conversations with Colonel Humphreys; who, possessing the sentiments of the executive on this subject, being well acquainted with the circumstances of the Western country in particular, and of the state of our affairs in general, comes to Madrid expressly for the purpose of giving you a thorough communication of them. He will, therefore, remain there as many days or weeks as may be necessary for this purpose. With this information, written and oral, you will be enabled to meet the minister in conversations on the subject of the navigation of the Mississippi, to which we wish you to lead his attention immediately. Impress him thoroughly with the necessity of an early, and even an immediate settlement of this matter, and of a return to the field of negotiation for this purpose; and though it must be done delicately, yet he must be made to understand unequivocally, that a resumption of the negotiation is not desired on our part, unless he can determine, in the first opening of it, to yield the immediate and full enjoy-

Digitized by Google

ment of that navigation. (I say nothing of the claims of Spain to our territory north of the thirty-first degree, and east of the Mississippi. They never merited the respect of an answer; and you know it has been admitted at Madrid, that they were not to be maintained.) It may be asked, what need of negotiation, if the navigation is to be ceded at all events? You know that the navigation cannot be practised without a port, where the sea and river vessels may meet and exchange loads, and where those employed about them may be safe and unmolested. The right to use a thing, comprehends a right to the means necessary to its use, and without which it would be useless. The fixing on a proper port, and the degree of freedom it is to enjoy in its operations, will require negotiation, and be governed by events. There is danger, indeed, that even the unavoidable delay of sending a negotiator here, may render the mission too late for the preservation of peace. It is impossible to answer for the forbearance of our western citizens. We endeavor to quiet them with the expectation of an attainment of their rights by peaceable means. But should they, in a moment of impatience, hazard others, there is no saying how far we may be led; for neither themselves nor their rights will ever be abandoned by us.

You will be pleased to observe, that we press these matters warmly and firmly, under this idea, that the war between Spain and Great Britain will be begun before you receive this; and such a moment must not

Digitized by Google

be lost. But should an accommodation take place, we retain, indeed, the same object and the same resolutions unalterably; but your discretion will suggest, that in that event, they must be pressed more softly, and that patience and persuasion must temper your conferences, till either these may prevail, or some other circumstance turn up, which may enable us to use other means for the attainment of an object which we are determined, in the end, to obtain at every risk.

I have the honor to be, with great esteem, dear Sir, your most obedient, and most humble servant.

TO MONSIEUR DE PINTO.

NEW YORK, August 7, 1790.

SIR,—Under cover of the acquaintance I had the honor of contracting with you, during the negotiations we transacted together in London, I take the liberty of addressing you the present letter. The friendly dispositions you were then pleased to express towards this country, which were sincerely and reciprocally felt on my part towards yours, flatter me with the hope you will assist in maturing a subject for their common good. As yet, we have not the information necessary to present it to you formally, as the minister of her most faithful Majesty. I beg, therefore, that this letter may be considered as between two individual friends of their respective countries, preliminary to a formal proposition, and meant to give an acceptable shape to that.

Digitized by Google

It is unnecessary, with your Excellency, to go through the history of our first experiment in government; the result of which was, a want of such tone in the governing powers, as might effect the good of those committed to their care. The nation become sensible of this, have changed its organization, made a better distribution of its powers, and given to them more energy and independence. The new government has now, for some time, been under way; and so far, gives a confidence that it will answer its purposes. Abuses under the old forms, have led us to lay the basis of the new, in a rigorous economy of the public contributions. This principle will show itself in our diplomatic establishments; and the rather, as at such a distance from Europe, and with such an ocean between us, we hope to meddle little in its quarrels or combinations. Its peace and its commerce are what we shall court; and to cultivate these, we propose to place at the courts of Europe most interesting to us, diplomatic characters of economical grade, and shall be glad to receive like ones in exchange. The important commerce carried on between your country and ours, and the proofs of friendly disposition towards us which her Majesty has manifested, induce us to wish for such an exchange with her, to express our sensibility at the intimations heretofore received of her readiness to meet our wish in this point, and our regret at the delay which has proceeded from the circumstances before touched on. The grade to be exchanged is

Digitized by Google

the present question, and that on which I ask a friendly and informal consultation with you. That of chargé des affaires, is the one we would prefer. It is that we employ at the court of Madrid. But it has been said, that by the etiquette of your court, that grade cannot be received there under a favorable countenance. Something like this existed at the court of Madrid. But his most Catholic Majesty, in consideration of our peculiar circumstances, dispensed with a general rule in our favor and in our particular case; and our chargé des affaires there, enjoys at court the privileges, the respect and favor due to a friendly nation, to a nation whom distance and difference of circumstances liberate, in some degree, from an etiquette, to which it is a stranger at home as well as abroad. The representative of her Majesty here, under whatever name mutual convenience may designate him, shall be received in the plentitude of friendship and favor. May we not ask a reciprocal treatment of ours with you? The nations of Europe have already seen the necessity of distinguishing America from Europe, even in their treaties; and a difference of commerce, of government, of condition and character, must every day evince, more and more, the impracticability of involving them under common regulations. Nor ought a difference of arrangement with respect to us, to excite claims from others whose circumstances bear no similitude to ours.

I beg leave to submit these considerations to your

Digitized by Google

Excellency's wisdom and goodness. You will see them to be such as could not be offered formally. They must shield themselves under the protection of those sentiments of veneration and esteem with which your character heretofore inspired me, and which I flattered myself were not merely indifferent to you. Be so good as to honor with a conference hereon, the bearer, Colonel Humphreys (who was known to you in London), a gentleman who has long been of the President's family, and whose worth has acquired so much of our confidence, that whatever shall be arranged with him, on this subject, may be considered as settled. Presuming on a continuance of her Majesty's dispositions, accept this private assurance that a proper person shall be appointed in due form to reside with you, as soon as we shall know the result of your deliberations with Colonel Humphreys, whom I beg leave to present to your notice; adding the homage of those sentiments of respect and attachment with which I have the honor to be, your Excellency's most obedient, and most humble servant.

TO JOSHUA JOHNSON.

NEW YORK, August 7, 1790.

SIR,—The President of the United States, desirous of availing his country of the talents of its best citizens in their respective lines, has thought proper to nominate you consul for the United States, at the

Digitized by Google

port of London. The extent of our commercial and political connections with that country, marks the importance of the trust he confides to you, and the more, as we have no diplomatic character at that court. I shall say more to you in a future letter on the extent of the consular functions, which are, in general, to be confined to the superintendence and patronage of commerce and navigation; but in your position, we must desire somewhat more. Political intelligence from that country is interesting to us in a high degree. We must, therefore, ask you to furnish us with this as far as you shall be able; to send us moreover the gazette of the court, Woodfall's parliamentary paper, Debrett's parliamentary register; and to serve sometimes as a centre for our correspondences with other parts of Europe, by receiving and forwarding letters sent to your care. It is desirable that we be annually informed of the extent to which the British fisheries are carried on within each year, stating the number and tonnage of the vessels, and the number of men employed in the respective fisheries, to wit, the northern and southern whale fisheries, and the cod fishery. I have as yet no statement of them for the year 1789, with which, therefore, I will thank you to begin. While the press of seamen continues, our seamen in ports nearer to you than to Liverpool, (where Mr. Maury is consul,) will need your protection. The liberation of those impressed should be desired of the proper authority, with due firmness, yet always in temperate and

Digitized by Google

respectful terms, in which way, indeed, all applications to government should be made.

The public papers herein desired may come regularly, once a month, by the British packet, and intermediately, by any vessels bound directly either to Philadelphia or New York. All expenses incurred for papers and postages, shall be paid at such intervals as you choose, either here, on your order, or by bill on London, whenever you transmit to me an account.

There was a bill brought into the legislature for the establishment of some regulations in the consular offices; but it is postponed to the next session. That bill proposed some particular fees for particular services. They were, however, so small, as to be no object. As there will be little or no legal emolument annexed to the office of consul, it is, of course, not expected that it shall render any expense incumbent on him.

I have the honor to be, with great esteem, Sir, your most obedient, and most humble servant.

TO WILLIAM SHORT.

NEW YORK, August 10, 1790.

DEAR SIR,—This letter, with the very confidential papers it encloses, will be delivered to you by Mr. Barrett with his own hands. If there be no war between Spain and England, they need be known to yourself alone. But if that war be begun, or whenever it shall begin, we wish you to communicate them to the Marquis de La Fayette, on whose assist-

Digitized by Google

ance we know we can count in matters which interest both our countries. He and you will consider how far the contents of these papers may be communicated to the Count de Montmorin, and his influence be asked with the court of Madrid. France will be called into the war, as an ally, and not on any pretence of the quarrel being in any degree her own. She may reasonably require then, that Spain should do everything which depends on her, to lessen the number of her enemies. She cannot doubt that we shall be of that number, if she does not yield our right to the common use of the Mississippi, and the means of using and securing it. You will observe, we state in general the necessity, not only of our having a port near the mouth of the river, (without which we could make no use of the navigation at all) but of its being so well separated from the territories of Spain and her jurisdiction, as not to engender daily disputes and broils between us. It is certain, that if Spain were to retain any jurisdiction over our entrepôt, her officers would abuse that jurisdiction, and our people would abuse their privileges in it. Both parties must foresee this, and that it will end in war. Hence the necessity of a well-defined separation. Nature has decided what shall be the geography of that in the end, whatever it might be in the beginning, by cutting off from the adjacent countries of Florida and Louisiana, and enclosing between two of its channels, a long and narrow slip of land, called the Island of New Orleans. The idea

Digitized by Google

of ceding this, could not be hazarded to Spain, in the first step; it would be too disagreeable at first view; because this island, with its town, constitutes, at present, their principal settlement in that part of their dominions, containing about ten thousand white inhabitants of every age and sex. Reason and events, however, may, by little and little, familiarize them to it. That we have a right to some spot as an entrepôt for our commerce, may be at once affirmed. The expediency, too, may be expressed, of so locating it as to cut off the source of future quarrels and wars. A disinterested eye, looking on a map, will remark how conveniently this tongue of land is formed for the purpose; the Iberville and Amit channel offering a good boundary and convenient outlet, on the one side, for Florida, and the main channel an equally good boundary and outlet, on the other side, for Louisiana; while the slip of land between, is almost entirely morass or sandbank; the whole of it lower than the water of the river, in its highest floods, and only its western margin (which is the highest ground) secured by banks and inhabited. I suppose this idea too much even for the Count de Montmorin at first, and that, therefore, you will find it prudent to urge, and get him to recommend to the Spanish court, only in general terms, "a port near the mouth of the river, with a circumjacent territory sufficient for its support, well defined, and extra-territorial to Spain," leaving the idea to future growth.

Digitized by Google

I enclose you the copy of a paper distributed by the Spanish commandant on the west side of the Mississippi, which may justify us to M. de Montmorin, for pushing this matter to an immediate conclusion. It cannot be expected we shall give Spain time, to be used by her for dismembering us.

It is proper to apprise you of a circumstance, which may show the expediency of being in some degree on your guard, even in your communications to the court of France. It is believed here, that the Count de Moustier, during his residence with us, conceived the project of again engaging France in a colony upon our continent, and that he directed his views to some of the country on the Mississippi, and obtained and communicated a good deal of matter on the subject to his court. He saw the immediate advantage of selling some yards of French cloths and silks to the inhabitants of New Orleans. But he did not take into account what it would cost France to nurse and protect a colony there, till it should be able to join its neighbors, or to stand by itself; and then what it would cost her to get rid of it. I hardly suspect that the court of France could be seduced by so partial a view of the subject as was presented to them, and I suspect it the less, since the National Assembly has constitutionally excluded conquest from the object of their government. It may be added, too, that the place being ours, their yards of cloth and silk would be as freely sold as if it were theirs.

You will perceive by this letter, and the papers it

Digitized by Google

encloses, what part of the ideas of Count d'Estain correspond with our views. The answer to him must be a compound of civility and reserve, expressing our thankfulness for his attentions, that we consider them as proofs of the continuance of his friendly dispositions, and that though it might be out of our system to implicate ourselves in trans-Atlantic guarantees, yet other parts of his plans are capable of being improved to the common benefit of the parties. Be so good as to say to him something of this kind verbally, and so as that the matter may be ended as between him and us.

On the whole, in the event of war, it is left to the judgment of the Marquis de La Fayette and yourself, how far you will develop the ideas now communicated to the Count de Montmorin, and how far you will suffer them to be developed to the Spanish court.

I enclose you a pamphlet by Hutchins for your further information on the subject of the Mississippi; and am, with sentiments of perfect esteem and attachment, dear Sir, your most obedient, and most humble servant.

TO COLONEL DAVID HUMPHREYS.

NEW YORK, August 11, 1790.

SIR,—The President having thought proper to confide several special matters in Europe to your care, it will be expedient that you take your passage

Digitized by Google

in the first convenient vessel bound to the port of London.

When there, you will be pleased to deliver to Mr. G. Morris and to Mr. Johnson, the letters and papers you will have in charge for them, to communicate to us from thence any interesting public intelligence you may be able to obtain, and then to take as early a passage as possible to Lisbon.

At Lisbon, you will deliver the letter with which you are charged for the Chevalier Pinto, putting on it the address proper to his present situation. You know the contents of this letter, and will make it the subject of such conferences with him, as may be necessary to obtain our point of establishing there the diplomatic grade which alone coincides with our system, and of insuring its reception and treatment with the requisite respect. Communicate to us the result of your conferences, and then proceed to Madrid.

There you will deliver the letters and papers which you have in charge for Mr. Carmichael, the contents of all which are known to you. Be so good as to multiply, as much as possible, your conferences with him, in order to possess him fully of the special matters sketched out in those papers, and of the state of our affairs in general.

Your stay there will be as long as its object may require, only taking care to return to Lisbon by the time you may reasonably expect that our answers to your letters, to be written from Lisbon, may reach

Digitized by Google

that place. This cannot be earlier than the first or second week of January. These answers will convey to you the President's further pleasure.

Through the whole of this business, it will be best that you avoid all suspicion of being on any public business. This need be known only to the Chevalier Pinto and Mr. Carmichael. The former need not know of your journey to Madrid, or if it be necessary, he may be made to understand that it is a journey of curiosity, to fill up the interval between writing your letters and receiving the answers. To every other person, it will be best that you appear as a private traveller.

The President of the United States allows you from this date, at the rate of two thousand two hundred and fifty dollars a year, for your services and expenses, and moreover, what you may incur for the postage of letters; until he shall otherwise order.

TO GOUVERNEUR MORRIS.

NEW YORK, August 12, 1790.

DEAR SIR,—Your letter of May the 29th to the President of the United States, has been duly received. You have placed their proposition of exchanging a minister on proper ground. It must certainly come from them, and come in unequivocal form. With those who respect their own dignity so much, ours must not be counted at naught. On

Digitized by Google

their own proposal formally, to exchange a minister, we sent them one. They have taken no notice of that, and talk of agreeing to exchange one now, as if the idea were new. Besides, what they are saying to you, they are talking to us through Quebec; but so informally, that they may disavow it when they please. It would only oblige them to make the fortune of the poor Major, whom they would pretend to sacrifice. Through him, they talk of a minister, a treaty of commerce *and alliance*. If the object of the latter be honorable, it is useless; if dishonorable, inadmissible. These tamperings prove they view a war as very possible; and some symptoms indicate designs against the Spanish possessions adjoining us. The consequences of their acquiring all the country on our frontier, from the St. Croix to the St. Mary's, are too obvious to you to need development. You will readily see the dangers which would then environ us. We wish you, therefore, to intimate to them that we cannot be indifferent to enterprises of this kind. That we should contemplate a change of neighbors with extreme uneasiness; and that a due balance on our borders is not less desirable to us, than a balance of power in Europe has always appeared to them. We wish to be neutral, and we will be so, *if they will execute the treaty fairly*, and *attempt no conquests adjoining us*. The first condition is just; the second imposes no hardship on them. They cannot complain that the other dominions of Spain would be so narrow as not to leave them room enough

Digitized by Google

for conquest. If the war takes place, we would really wish to be quieted on these two points, offering in return an honorable neutrality. More than this, they are not to expect. It will be proper that these ideas be conveyed in delicate and friendly terms; but that they be conveyed, if the war takes place; for it is in that case alone, and not till it be begun, that we should wish our dispositions to be known. But in no case, need they think of our accepting any equivalent for the posts.

I have the honor to be, with great respect and esteem, dear Sir, your most obedient, and most humble servant.

TO THE ATTORNIES OF THE UNITED STATES FOR THE SEVERAL DISTRICTS, THOSE OF MAINE AND KENTUCKY EXCEPTED.

NEW YORK, August 12, 1790.

SIR,—It is desirable that government should be informed what proceedings have taken place in the several States since the treaty with Great Britain, which may be considered by that nation as infractions of the treaty, and consequently that we should be furnished with copies of all acts, orders, proclamations, and decisions, legislative, executive, or judiciary, which may have affected the debts or other property, or the persons, of British subjects or American refugees. The proceedings subsequent to the treaty, will sometimes call for those also which

Digitized by Google

took place during the war. No person is more able than yourself, Sir, to furnish us with a list of the proceedings of this kind which have taken place within your State, nor is there any one on whom we may with more propriety rely for it, as well as to take the trouble of furnishing us with exact copies of them. Should you be so kind as to state any facts or circumstances which may enter into the justification or explanation of any of these proceedings, they will be thankfully received; and it is wished the whole may come to hand between this and the last of October.

While I am troubling you with this commission, I am obliged to add a second, which being undertaken at this time, will abridge the labor of the first. It is found indispensable that we be possessed here of a complete collection of all the printed laws and ordinances, ancient and modern, of every State of the Union. I must ask the favor of you, Sir, to have such a collection made for us, so far as relates to your State. The volumes of this collection which, being more modern, may be more readily found, I will ask the favor of you to send immediately by whatever conveyance you think safest and best; those more rarely to be had, you will be so good as to forward from time to time, as you can get them. For your reimbursement, be pleased to draw on me, only expressing in your draught that it is for "the laws of your State, purchased and forwarded for the United States:" or, if it should be more convenient

Digitized by Google

to you, I will at any time send you an order from the treasury for your reimbursement on the collection most convenient to you. This shall be as you please.

Your zeal for the general service needs not to be excited by information, that it is with the special approbation of the President of the United States that I address you on this occasion.

I have the honor to be, with great regard, Sir, your most obedient, and most humble servant

---

TO MR. RANDOLPH.

NEW YORK, August 14, 1790.

DEAR SIR,—I am setting out on a trip to Rhode Island with the President to-morrow, by water. We shall be absent five or six days, and of course his departure hence to the southward will be that much later than he intended; and my departure, which must be after his, a little delayed. Still I hope to reach Monticello by the 15th of September, or from that to the 20th. We have just concluded a treaty with the Creeks, which is important, as drawing a line between them and Georgia, and enabling the government to do, as it will do, justice against either party offending. Congress separated the day before yesterday, having in the latter part of their session re-acquired the harmony which had always distinguished their proceedings, till the two disagreeable subjects of the assumption and residence were intro-

Digitized by Google

duced. These really threatened, at one time, a separation of the legislature *sine die*. They saw the necessity of suspending almost all business for some time; and, when they resumed it, of some mutual sacrifices of opinion. It is not foreseen that anything so generative of dissension can arise again, and therefore the friends of the government hope that, this difficulty once surmounted in the States, everything will work well. I am principally afraid that commerce will be overloaded by the assumption, believing that it would be better that property should be duly taxed. Present me affectionately to my dear daughters, and believe me to be sincerely yours.

TO GOVERNOR HANCOCK.

NEW YORK, August 24, 1790.

SIR,—The representatives of the United States have been pleased to refer to me the representation from the general court of Massachusetts, on the subject of the whale and cod fisheries, which had been transmitted by your Excellency, with an instruction to examine the matter thereof, and report my opinion thereupon to the next session of Congress. To prepare such a report as may convey to them the information necessary to lead to an adequate remedy, it is indispensable that I obtain a statement of the fisheries, comprehending such a period before and since the war, as may show the extent to which they

Digitized by Google

were and are carried on. With such a statement under their view, Congress may be able, by comparing the circumstances which existed when the fisheries flourished, with those which exist at this moment of their decline, to discover the cause of that decline, and provide either a remedy for it, or something which may countervail its effect. This information can be obtained nowhere but in the State over which your Excellency presides, and under no other auspices so likely to produce it. May I, therefore, take the liberty of soliciting your Excellency to charge with the collecting and furnishing me this information, some person or persons who may be competent to the object. Taking a point of commencement at a proper interval before the year of greatest prosperity, there should be stated in a table, year by year, under different columns, as follows:

1. The number of vessels fitted out each year for the cod-fishery. 2. Their tonnage. 3. The number of seamen emplcyed. 4. The quantity of fish taken; 1, of superior quality; 2, of inferior. 5. The quantity of each kind exported; 1, to Europe, and to what countries there; 2, to other, and what parts of America. 6. The average prices at the markets; 1, of Europe; 2, of America. With respect to the whale fishery, after the three first articles, the following should be substituted. 4. Whether to the northern or southern fishery. 5. The quantity of oil taken; 1, of the spermaceti whale; 2, of the other kinds. 6. To what market each kind was sent. 7.

Digitized by Google

The average prices of each. As the ports from which the equipments were made, could not be stated in the same table conveniently, they might form a separate one. It would be very material that I should receive this information by the first of November, as I might be able to bestow a more undisturbed attention to the subject before than after the meeting of Congress, and it would be better to present it to them at the beginning, than towards the close of a session.

The peculiar degree of interest with which this subject must affect the State of Massachusetts, the impossibility of obtaining necessary information from any other quarter, and the slender means I should have of acquiring it from thence, without the aid of your Excellency, will, I hope, be a sufficient apology for the trouble I take the liberty of giving you; and I am happy in every occasion of repeating assurances of the respect and attachment with which I have the honor to be, your Excellency's most obedient, and most humble servant.

Circular of the Consuls and Vice-Consuls of the United States.

NEW YORK, August 26, 1790.

SIR,—I expected ere this, to have been able to send you an act of Congress, prescribing some special duties and regulations for the exercise of the con-

Digitized by Google

sular offices of the United States; but Congress not having been able to mature the act sufficiently, it lies over to their next session. In the meanwhile, I beg leave to draw your attention to some matters of information, which it is interesting to receive.

I must beg the favor of you to communicate to me every six months, a report of the vessels of the United States which enter at the ports of your district, specifying the name and burthen of each vessel, of what description she is, (to wit, ship, snow, brig, etc.,) the names of the master and owners, and number of seamen, the port of the United States from which she cleared, places touched at, her cargo outward and inward, and the owners thereof, the port to which she is bound, and times of arrival and departure; the whole arranged in a table under different columns, and the reports closing on the last days of June and December.

We wish you to use your endeavors that no vessel enter as an American in the ports of your district, which shall not be truly such, and that none be sold under that name, which are not really of the United States.

That you give to me, from time to time, information of all military preparations, and other indications of war which may take place in your ports; and when a war shall appear imminent, that you notify thereof the merchants and vessels of the United States within your district, that they may be duly on their guard; and in general, that you com-

Digitized by Google

municate to me such political and commercial intelligence, as you may think interesting to the United States.

The consuls and vice-consuls of the United States are free to wear the uniform of their navy, if they choose to do so. This is a deep blue coat with red facings, lining and cuffs, the cuffs slashed and a standing collar; a red waistcoat (laced or not at the election of the wearer) and blue breeches; yellow buttons with a foul anchor, and black cockades and small swords.

Be pleased to observe, that the vice-consul of one district is not at all subordinate to the consul of another. They are equally independent of each other.

The ground of distinction between these two officers is this. Our government thinks, that to whatever there may be either of honor or profit resulting from the consular office, native citizens are first entitled, where such, of proper character, will undertake the duties; but where none such offer, a vice-consul is appointed of any other nation. Should a proper native come forward at any future time, he will be named consul; but this nomination will not revoke the commission of vice-consul; it will only suspend his functions during the continuance of the consul within the limits of his jurisdiction, and on his departure therefrom, it is meant that the vice-consular authority shall revive of course, without the necessity of a re-appointment.

Digitized by Google

It is understood, that consuls and vice-consuls have authority of course, to appoint their own agents in the several ports of their district, and that it is with themselves alone those agents are to correspond.

It will be best not fatigue the government in which you reside, or those in authority under it, with applications in unimportant cases. Husband their good dispositions for occasions of some moment, and let all representations to them be couched in the most temperate and friendly terms, never indulging in any case whatever, a single expression which may irritate.

I have the honor to be, Sir, your most obedient, and most humble servant.

TO WILLIAM SHORT.

NEW YORK, August 26, 1790.

DEAR SIR,—My last letters to you have been of the 26th of July, and 10th instant. Yours of May the 16th, No. 31, has come to hand.

I enclose you sundry papers, by which you will perceive, that the expression in the eleventh article of our treaty of amity and commerce with France, viz. "that the subjects of the United States shall not be reputed Aubaines *in France*, and consequently shall be exempted from the Droit d'Aubaine, or other similar duty, under what name soever," has been construed so rigorously to the letter, as to consider

Digitized by Google

us as Aubaines in the *colonies* of France. Our intercourse with those colonies is so great, that frequent and important losses will accrue to individuals, if this construction be continued. The death of the master or supercargo of a vessel, rendered a more common event by the unhealthiness of the climate, throws all the property which was either his, or under his care, into contest. I presume that the enlightened Assembly now engaged in reforming the remains of feudal abuse among them, will not leave so inhospitable an one as the Droit d'Aubaine existing in France, or any of its dominions. If this may be hoped, it will be better that you should not trouble the minister with any application for its abolition in the colonies as to us. This would be erecting into a special favor to us, the extinction of a general abuse, which will, I presume, extinguish of itself. Only be so good as to see, that in abolishing this odious law in France, its abolition in the colonies also, be not omitted by mere oversight; but if, contrary to expectations, this fragment of barbarism be suffered to remain, then it will become necessary that you bring forward the enclosed case, and press a liberal and just exposition of our treaty, so as to relieve our citizens from this species of risk and ruin hereafter. Supposing the matter to rest on the eleventh article only, it is inconceivable, that he, who with respect to his personal goods is as a native citizen in the mother country, should be deemed a foreigner in its colonies. Accordingly, you

Digitized by Google

will perceive by the opinions of Dr. Franklin and Dr. Lee, two of our ministers who negotiated and signed the treaty, that they considered that rights stipulated for us *in France*, were meant to exist in all the *dominions of France*.

Considering this question under the second article of the treaty also, we are exempted from the Droit d'Aubaine in all the dominions of France; for by that article, no particular favor is to be granted to any other nation, which shall not immediately become common to the other party. Now, by the forty-fourth article of the treaty between France and England, which was subsequent to ours, it is stipulated, "que dans tout ce qui concerne—*les successions des biens mobiliers*—les sujets des deux hautes parties contractantes auront *dans les Etats respectifs* les memes privileges, libertés et droits, que la nation la plus favorisée." This gave to the English the general abolition of the Droit d'Aubaine, enjoyed by the Hollanders under the first article of their treaty with France, of July the 23d, 1773, which is in these words. "Les sujets des E. G. des P. U. des pays-bas ne seront point assujettis au Droit d'Aubaine dans les Etats de S. M. T. C." This favor then, being granted to the English subsequent to our treaty, we become entitled to it of course by the article in question. I have it not in my power at this moment, to turn to the treaty between France and Russia, which was also posterior to ours. If by that, the Russians are ex-

Digitized by Google

empted from the Droit d'Aubaine, "*dans les Etats de* S. M. T. C." it is a ground the more for our claiming the exemption. To these, you will be pleased to add such other considerations of reason, friendship, hospitality and reciprocity, as will readily occur to yourself.

About two or three weeks ago, a Mr. Campbell called on me, and introduced himself by observing that his situation was an awkward one, that he had come from Denmark with an assurance of being employed here in a public character, that he was actually in service, though unannounced. He repeated conversations which had passed between Count Bernstorff and him, and asked me when a minister would be appointed to that court, or a character sent to negotiate a treaty of commerce; he had not the scrip of a pen to authenticate himself, however informally. I told him our government had not yet had time to settle a plan of foreign arrangements; that with respect to Denmark particularly, I might safely express to him those sentiments of friendship which our government entertained for that country, and assurances that the King's subjects would always meet with favor and protection here; and in general, I said to him those things which being true, might be said to anybody. You can perhaps learn something of him from the Baron de Blome. If he be an unauthorized man, it would be well it should be known here, as the respect which our citizens might entertain, and the credit

Digitized by Google

they might give to any person supposed to be honored by the King's appointment, might lead them into embarrassment.

You know the situation of the new loan of three millions of florins going on at Amsterdam. About one half of this is destined for an immediate payment to France; but advantage may be gained by judiciously timing the payment. The French colonies will doubtless claim in their new constitution, a right to receive the necessaries of life from whomever will deliver them cheapest; to wit, grain, flour, live stock, salted fish, and other salted provisions. It would be well that you should confer with their deputies, guardedly, and urge them to this demand, if they need urging. The justice of the National Assembly will probably dispose them to grant it, and the clamors of the Bordeaux merchants may be silenced by the clamors and arms of the colonies. It may co-operate with the influence of the colonies, if favorable dispositions towards us can be excited in the moment of discussing this point. It will therefore be left to you to say when the payment shall be made, in confidence that you will so time it, as to forward this great object; and when you make this payment, you may increase its effect, by adding assurances to the minister, that measures have been taken which will enable us to pay up, within a very short time, all arrears of principal and interest now due; and further, that Congress has fully authorized our government to go on and pay even the balance

Digitized by Google

not yet due, which we mean to do, if that money can be borrowed on reasonable terms; and that favorable arrangements of commerce between us and their colonies, might dispose us to effect that payment with less regard to terms. You will, of course, find excuses for not paying the money which is ready and put under your orders, till you see that the moment has arrived when the emotions it may excite, may give a decisive cast to the demands of the colonies.

The newspapers, as usual, will accompany the present.

I have the honor to be, with great esteem and attachment, dear Sir, your most obedient, and most humble servant.

TO THE SECRETARY OF WAR.

NEW YORK, August 26, 1790.

DEAR SIR,—On the hasty view which the shortness of time permits me to take of the treaty of Hopewell, the act of cession of North Carolina and the act of acceptance by Congress, I hazard the following sentiments:

Were the treaty of Hopewell, and the act of acceptance of Congress to stand in any point in direct opposition to each other, I should consider the act of acceptance as void in that point; because the treaty is a law made by two parties, and not revocable by one of them either acting alone or in conjunction with a third party. If we consider the acceptance as a

Digitized by Google

legislative act of Congress, it is the act of one party only; if we consider it as a treaty between Congress and North Carolina, it is but a subsequent treaty with another power, and cannot make void a preceding one with a different power.

But I see no such opposition between these two instruments. The Cherokees were entitled to the sole occupation of the lands within the limits guaranteed to them. The State of North Carolina, according to the *jus gentium* established for America by universal usage, had only a right of pre-emption of these lands against all other nations. It could convey, then, to its citizens only this right of pre-emption, and the right of occupation could not be united to it till obtained by the United States from the Cherokees. The act of cession of North Carolina only preserves the rights of its citizens in the same state as they would have been, *had that act never been passed*. It does not make imperfect titles perfect; but only prevents their being made worse. Congress, by their act, accept on these conditions. The claimants of North Carolina, then, and also the Cherokees, are exactly where they would have been, had neither the act of cession, nor that of acceptance, been ever made; that is, the latter possess the right of occupation, and the former the right of pre-emption.

Though these deductions seem clear enough, yet the question would be a disagreeable one between the general government, a particular government,

Digitized by Google

and individuals, and it would seem very desirable to draw all the claims of pre-emption within a certain limit, by commuting for those out of it, and then to purchase of the Cherokees the right of occupation.

I have the honor to be, my dear Sir, yours respectfully and affectionately.

TO MONSIEUR LA FOREST, CONSUL OF FRANCE.

NEW YORK, August 30, 1790.

SIR,—I asked the favor of the Secretary of the Treasury to consider the fourth article of the consular convention, and to let me know whether he should conclude that consuls not exercising commerce, were exempt from paying duties on things imported for their own use. I furnished him no explanation whatever, of what had passed on the subject at the time of forming the convention, because I thought it should be decided on the words of the convention, as they are offered to all the world, and that it would only be where these are equivocal, that explanations might be adduced from other circumstances. He considered the naked words of the article, and delivered me as his opinion, that, according to these, the first paragraph, "The consuls, and vice-consuls, etc., as the natives are," subjected all their property, in whatever form and under whatever circumstances it existed, to the same duties and taxes to which the property of other individuals is liable, and exempts them only from *taxes on their persons*, as poll taxes, head rates for the poor, for town

Digitized by Google

charges, etc.; and that the second paragraph, "Those of the said consuls, etc., or other merchants," subjected such of them as exercised commerce, even to the same *personal taxes* as other merchants are: that the second paragraph is an abridgment of the first, not an enlargement of it; and that the exemption of those, not merchants, which seemed *implied* in the words of the second paragraph, could not be admitted against the contrary meaning, directly and unequivocally expressed in the first.

Such, Sir, was his opinion, and it is exactly conformable to what the negotiators had in view in forming this article. I have turned to the papers which passed on that occasion, and I find that the first paragraph was proposed in the first project given in by myself, by which the distinction between taxes on their property and taxes on their persons, is clearly enounced, and was agreed to; but as our merchants exercising commerce in France, would have enjoyed a much greater benefit from the personal exemption, than those of France do here, M. de Reyneval, in his first counter-project, inserted the second paragraph, to which I agreed. So that the object was, in the first paragraph, to put consuls, not being merchants, on the same footing with citizens, not being merchants; and in the second, to put consuls, merchants, on the same footing with citizens, merchants.

This, Sir, we suppose to be the sense of the convention, which has become a part of the law of the

Digitized by Google

land, and the law, you know, in this country, is not under the control of the executive, either in its meaning or course. We must reserve, therefore, for more favorable occasions, our dispositions to render the situation of the consuls of his Majesty as easy as possible, by indulgences depending more on us; and of proving the sentiments of esteem and attachment to yourself personally, with which I have the honor to be, Sir, your most obedient, and most humble servant.

TO MR. BONDFIELD.

NEW YORK, August 31, 1790.

DEAR SIR,—You will have understood perhaps that in the appointment of consuls, which has taken place, another than yourself has been named for Bordeaux. I feel it a duty to explain this matter to you, lest it should give you an uneasiness as to the cause. No nomination occasioned more difficulty, nor hung longer suspended. But the senate refused in every instance, where there was a *native citizen* in any port, to consent to the nomination of any other. While this explains the reason of your not having been appointed, I trust it will also excuse those with whom the appointment rested. With respect to myself particularly, I beg you to be assured that I shall be happy in every occasion of being useful to you, and of proving to you the sentiments of esteem and attachment with which I have the honor to be, dear Sir, your most obedient, and most humble servant.

Digitized by Google

TO MR. VIAR.

MONTICELLO, October 27, 1790.

SIR,—I am honored here by the receipt of your favor of the 7th instant, covering a letter to me from the governor of East Florida, wherein he informs me that he has received the King's orders, not to permit, under any pretext, that persons held in slavery in the United States introduce themselves as free, into the province of East Florida. I am happy that this grievance, which had been a subject of great complaint from the citizens of Georgia, is to be removed, and that we have therein a proof as well of the general principles of justice which form the basis of his Majesty's character and administration, as of his disposition to meet us in the cultivation of that mutual friendship and union of interests which would be the happiness of both countries, and is the sincere wish of ours.

I have the honor to be, with sentiments of the most perfect respect and esteem, Sir, your most obedient, and most humble servant.

TO THE PRESIDENT OF THE UNITED STATES.

MONTICELLO, October 27, 1790.

SIR,—I had intended to set out about this time for Philadelphia, but the desire of having Mr. Madison's company, who cannot return for some days yet, and

Digitized by Google

believing that nothing important requires my presence at Philadelphia as yet, induce me to postpone my departure to the 8th of the ensuing month, so that it will be about the 12th before I can have the honor of waiting on you at Mount Vernon, to take your commands. In the meantime, the papers enclosed will communicate to you everything which has occurred to me since I saw you, and worthy notice. Our affair with Algiers seems to call for some new decision; and something will be to be done with the new Emperor of Morocco. Mr. Madison and myself have endeavored to press on some members of the assembly the expediency of their undertaking to build two good private dwelling houses a year, for ten years in the new city, to be rented or sold for the benefit of the State. Should they do this, and Maryland as much, it will be one means of ensuring the removal of government thither. Candidates for the Senate are said to be the Speaker, Colonel Harrison, Colonel H. Lee, and Mr. Walker; but it is the opinion of many that Colonel Monroe will be impressed into the service. He has agreed, it seems, with a good deal of reluctance, to say he will serve if chosen. I have the honor to be, with sentiments of the most perfect respect and attachment, Sir, your most obedient, and most humble servant.

Digitized by Google

TO FREDERICK KINLOCH, ESQ.

PHILADELPHIA, November 26, 1790.

DEAR SIR,—Your favor of April 26th, 1789, did not come to my hands till the 4th of the last month, when it found me on my way to Virginia. It should not otherwise have been so long unanswered. I am certainly flattered by the approbation you are so good as to express of the Notes on Virginia. The passage relative to the English, which has excited disagreeable sensations in your mind, is accounted for by observing that it was written during the war, while they were committing depredations in my own country and on my own property never practised by a civilized nation. Perhaps their conduct and dispositions since the war have not been as well calculated as they might have been to excite more favorable dispositions on our part. Still, as a political man, they shall never find any passion in me either for or against them. Whenever their avarice of commerce will let them meet us fairly half way, I should meet them with satisfaction, because it would be for our benefit; but I mistake their character if they do this under present circumstances.

The rumors of war seem to pass away. Such an event might have produced to us some advantages; but it might also have exposed us to dangers; and on the whole I think a general peace more desirable. Be so good as to present my respects to Mrs. Kinloch, and to be assured of the esteem and respect with

Digitized by Google

which I am, dear Sir, your most obedient, and most humble servant.

TO GOUVERNEUR MORRIS.

PHILADELPHIA, November 26, 1790.

DEAR SIR,—I have yet to acknowledge the receipt of your two favors of April 10 and July 7. By the latter it would seem as if you had written an intermediate one, which has never come to hand; and the letter of July 7 itself, was not received till the 14th of October, while I was in Virginia, from which I am but just returned. The President is not yet returned, though expected to-morrow. The Declaration and Counter-Declaration established with us a full expectation that peace would be continued; perhaps this is still the most rational opinion, though the *English* papers continue to talk of preparations for war. That such an event would have ensured good prices for our produce, and so far have been advantageous, is probable; but it would have exposed us to risks also, which are better deferred, for some years at least. It is not to be expected that our system of finance has met your approbation in all its parts. It has excited even here great opposition; and more especially that part of it which transferred the State debts to the general government The States of Virginia and North Carolina are peculiarly dissatisfied with this measure. I believe, however, that it is harped on by many to mask their dis-

Digitized by Google

affection to the government on other grounds. Its great foe in Virginia is an implacable one. He avows it himself, but does not avow all his motives for it. The measures and tone of the government threaten abortion to some of his speculations; most particularly to that of the Yazoo territory. But it is too well nerved to be overawed by individual opposition. It is proposed to provide additional funds, to meet the additional debt, by a tax on spirituous liquors, foreign and home-made, so that the whole interest will be paid by taxes on consumption. If a sufficiency can now be raised in this way to pay the interest at present, its increase by the increase of population (suppose five per cent. per annum), will alone sink the principal within a few years, operating, as it will, in the way of compound interest. Add to this what may be done by throwing in the aid of western lands and other articles as a sinking fund, and our prospect is really a bright one.

A pretty important expedition has been undertaken against the Indians north of the Ohio. As yet we have no news of its success. The late elections of members of Congress have changed about a third or fourth of them. It is imagined the session of Congress, which is to begin within ten days, will end on the 3d of March, with the federal year; as a continuance over that day would oblige them to call forward the new members. The admission of Vermont and Kentucky into Congress, will be decided

Digitized by Google

on in this session. I have the honor to be, with very great esteem, dear Sir, your most obedient, and most humble servant.

TO COUNT DE MOUSTIER.

PHILADELPHIA, December 3, 1790.

DEAR SIR,—I am afraid I have suffered in your opinion from the delay of acknowledging the receipt of your several letters, into which I have been led by unavoidable circumstances. The truth is that since my arrival in America (now exactly a twelvemonth), I have been able to pass not one-third of that time at the seat of government, one half of which was lost by an illness, during which I was incapable of doing anything, and the residue so engaged by accumulated business as to oblige me to suspend my private correspondences. I beg you to be assured that yours is valued by me too much to have been suspended under any other circumstances. I am just now returned from Virginia to this place, where the members of government are now assembling to begin its administration here, and I avail myself of the first moments to recall myself to your recollection. Fortune seems to have arranged among her destinies that I should never continue for any time with a person whose manners and principles had excited my warm attachment. While I resided in France, you resided in America. While I was crossing over to America, you were crossing back to France; when

Digitized by Google

I am come to reside with our government, your residence is transferred to Berlin. Of all this, Fortune is the mistress; but she cannot change my affections, nor lessen the regrets I feel at their perpetual disappointment. I am sincerely sorry at the delays which the settlement of your constitution has experienced. I suppose they have been rendered unavoidable by difficulties, and hope all will end well. They have certainly prolonged the risk to which the new work was exposed from without as well as within. I think it would be better to wind it up as quickly as possible, to consider it as a mere experiment to be amended hereafter, when time and trial shall show where it is imperfect. Our second experiment is going on happily; and so far we have no reason to wish for changes, except by adding those principles which several of the States thought were necessary as a further security for their liberties. All of these, as proposed by Congress, will certainly be adopted, except the second, which is doubtful, and the first, which is rejected. The powers of the government for the collection of taxes, are found to be perfect, so far as they have been tried. This has been as yet only by duties on consumption. As these fall principally on the rich, it is a general desire to make them contribute the whole money we want, if possible. And we have a hope that they will furnish enough for the expenses of government and the interest of our whole public debt, foreign and domestic. If they do this for the present, their increase, from

Digitized by Google

the increase of population and consumption, (which is at the rate of five per centum per annum,) will sink the capital in thirteen or fourteen years, as it will operate in the way of compound interest. Independent of this prospect, which is itself a good one, we make the produce of our land office, and some other articles, a sinking fund for the principal. We are now going on with a census of our inhabitants. It will not be completed till the next summer; but such progress is already made as to show our numbers will very considerably exceed the former estimates. I shall be happy to hear of your health and welfare everywhere, and that you will continue persuaded of the sentiments of respect and esteem with which I have the honor to be, dear Sir, your most obedient, and most humble servant.

TO MR. NOAH WEBSTER, AT HARTFORD.

PHILADELPHIA, December 4, 1790.

SIR,—Your favor of October 4 came to my hands on the 20th of November. Application was made a day or two after to Mr. Dobson for the copies of your Essays, which were received, and one of them lodged in the office. For that intended for myself, be pleased to accept my thanks. I return you the order on Mr. Allen, that on Dobson having been made use of instead of it. I submit to your consideration whether it might not be advisable to record a second time your right to the Grammatical Insti-

Digitized by Google

tutes, in order to bring the lodging of the copy in my office within the six months, made a condition in the law? I have not at this moment an opportunity of turning to the law to see if that may be done; but I suppose it possible that the failure to fulfil the legal condition on the first record might excite objections against the validity of that.

In mentioning me in your Essays, and canvassing my opinions, you have done what every man has a right to do, and it is for the good of society that that right should be freely exercised. No republic has more zeal than that of letters, and I am the last in principles, as I am the least in pretensions, to any dictatorship in it. Had I other dispositions, the philosophical and dispassionate spirit with which you have expressed your own opinions in opposition to mine, would still have commanded my approbation. A desire of being set right in your opinion, which I respect too much not to entertain that desire, induces me to hazard to you the following observations. It had become an universal and almost uncontroverted position in the several States, that the purposes of society do not require a surrender of all our rights to our ordinary governors; that there are certain portions of right not necessary to enable them to carry on an effective government, and which experience has nevertheless proved they will be constantly encroaching on, if submitted to them; that there are also certain fences which experience has proved peculiarly efficacious against wrong, and

Digitized by Google

rarely obstructive of right, which yet the governing powers have ever shown a disposition to weaken and remove. Of the first kind, for instance, is freedom of religion; of the second, trial by jury, habeas corpus laws, free presses. These were the settled opinions of all the States,—of that of Virginia, of which I was writing, as well as of the others. The others had, in consequence, delineated these unceded portions of right, and these fences against wrong, which they meant to exempt from the power of their governors, in instruments called declarations of rights and constitutions; and as they did this by conventions, which they appointed for the express purpose of reserving these rights, and of delegating others to their ordinary legislative, executive and judiciary bodies, none of the reserved rights can be touched without resorting to the people to appoint another convention for the express purpose of permitting it. Where the constitutions then have been so formed by conventions named for this express purpose, they are fixed and unalterable but by a convention or other body to be specially authorized; and they have been so formed by, I believe, all the States, except Virginia. That State concurs in all these opinions, but has run into the wonderful error that her constitution, though made by the ordinary legislature, cannot yet be altered by the ordinary legislature. I had, therefore, no occasion to prove to them the expediency of a constitution alterable only by a special convention. Accordingly, I have not in my

Digitized by Google

notes advocated that opinion, though it was and is mine, as it was and is theirs. I take that position as admitted by them, and only proceed to adduce arguments to prove that they were mistaken in supposing their constitution could not be altered by the common legislature. Among other arguments I urge that the convention which formed the constitution had been chosen merely for ordinary legislation; that they had no higher power than every subsequent legislature was to have; that all their acts are consequently repealable by subsequent legislatures; that their own practice at a subsequent session proved they were of this opinion themselves; that the opinion and practice of several subsequent legislatures had been the same, and so conclude "that their constitution is alterable by the common legislature." Yet these arguments urged to prove that their constitution *is* alterable, you cite as if urged to prove that it *ought not to be* alterable, and you combat them on that ground. An argument which is good to prove one thing, may become ridiculous when exhibited as intended to prove another thing. I will beg the favor of you to look over again the passage in my notes, and am persuaded you will be sensible that you have misapprehended the object of my arguments, and therefore have combated them on a ground for which they were not intended. My only object in this is the rectification of your own opinion of me, which I repeat that I respect too much to neglect. I have certainly no view of enter-

Digitized by Google

ing into the contest, whether it be expedient to delegate unlimited powers to our ordinary governors? my opinion is against that expediency; but my occupations do not permit me to undertake to vindicate all my opinions, nor have they importance enough to merit it. It cannot, however, but weaken my confidence in them, when I find them opposed to yours, there being no one who respects the latter more than, Sir, your most obedient, and most humble servant.

TO GOUVERNEUR MORRIS.

PHILADELPHIA, December 17, 1790.

Since mine to you of August the 12th, yours of July the 3d, August the 16th, and September the 18th, have come to hand. They suffice to remove all doubts which might have been entertained as to the real intentions of the British cabinet, on the several matters confided to you. The view of government in troubling you with this business was, either to remove from between the two nations all causes of difference, by a fair and friendly adjustment, if such was the intention of the other party, or to place it beyond a doubt that such was not their intention. In result, it is clear enough that further applications would tend to delay, rather than advance our object. It is therefore the pleasure of the President, that no orders be made; and that in whatever state this letter may find the business, in that state it be left. I

Digitized by Google

have it in charge, at the same time, to assure you that your conduct in these communications with the British ministers, has met the President's entire approbation, and to convey to you his acknowledgments for your services.

As an attendance on this business must, at times, have interfered with your private pursuits, and subjected you also to additional expenses, I have the honor to enclose you a draft on our bankers in Holland, for a thousand dollars, as an indemnification for those sacrifices.

My letter of August the 12th, desired a certain other communication to be made to the same court if a war should have actually commenced. If the event has not already called for it, it is considered as inexpedient to be made at all.

You will of course have the goodness to inform us of whatever may have passed further, since the date of your last.

In conveying to you this testimony of approbation from the President of the United States, I am happy in an occasion of repeating assurances of the sentiments of perfect esteem and respect with which I have the honor to be, dear Sir, your most obedient, and most humble servant.

Digitized by Google

TO JOSHUA JOHNSON.

PHILADELPHIA, December 17, 1790.

SIR,—Though not yet informed of the receipt of my letter, covering your commission as consul for the United States, in the port of London, yet knowing that the ship has arrived by which it went, I take for granted the letter and commission have gone safe to hand, and that you have been called into the frequent exercise of your office for the relief of our seamen, upon whom such multiplied acts of violence have been committed in England, by press-gangs, pretending to take them for British subjects, not only without evidence, but against evidence. By what means may be procured for our seamen, while in British ports, that security for their persons which the laws of hospitality require, and which the British nation will surely not refuse, remains to be settled. In the meantime, there is one of these cases, wherein so wilful and so flagrant a violation has been committed by a British officer, on the person of one of our citizens, as requires that it be laid before his government, in friendly and firm reliance of satisfaction for the injury, and of assurance for the future, that the citizens of the United States, entering the ports of Great Britain, in pursuit of a lawful commerce, shall be protected by the laws of hospitality in usage among nations.

It is represented to the President of the United States, that Hugh Purdie, a native of Williamsburg,

Digitized by Google

in Virginia, was, in the month of July last, seized in London by a party of men, calling themselves press-officers, and pretending authority from their government so to do, notwithstanding his declarations and the evidence he offered of his being a native citizen of the United States; and that he was transferred on board the Crescent, a British ship of war, commanded by a Captain Young. Passing over the intermediate violences exercised on him, because not peculiar to his case (so many other American citizens having suffered the same), I proceed to the particular one which distinguishes the present representation. Satisfactory evidence having been produced by Mr. John Brown Cutting, a citizen of the United States, to the Lords of the Admiralty, that Hugh Purdie was a native citizen of the same States, they, in their justice, issued orders to the Lord Howe, their Admiral, for his discharge. In the meantime, the Lord Howe had sailed with the fleet of which the Crescent was. But, on the 27th of August, he wrote to the board of admiralty, that he had received their orders for the discharge of Hugh Purdie, and had directed it accordingly. Notwithstanding these orders, the receipt of which at sea Captain Young acknowledges, notwithstanding Captain Young's confessed knowledge, that Hugh Purdie was a citizen of the United States, from whence it resulted that his being carried on board the Crescent and so long detained there, had been an act of wrong, which called for expiatory conduct and attentions,

Digitized by Google

rather than new injuries on his part towards the sufferer, instead of discharging him according to the orders he had received, on his arrival in port, which was on the 14th of September, he, on the 15th, confined him in irons for several hours, then had him bound and scourged in presence of the ship's crew, under a threat to the executioner that if he did not do his duty well, he should take the place of the sufferer. At length he discharged him on the 17th, without the means of subsistence for a single day. To establish these facts, I enclose you copies of papers communicated to me by Mr. Cutting, who laid the case of Purdie before the board of admiralty, and who can corroborate them by his personal evidence. He can especially verify the letter of Captain Young, were it necessary to verify a paper, the original of which is under the command of his Majesty's ministers, and this paper is so material, as to supersede of itself all other testimony, confessing the orders to discharge Purdie, that yet he had whipped him, and that it was impossible, without giving up all sense of discipline, to avoid whipping a free American citizen. We have such confidence in the justice of the British government, in their friendly regard to these States, in their respect for the honor and good understanding of the two countries, compromitted by this act of their officer, as not to doubt their due notice of *him*, indemnification to the sufferer, and a friendly assurance to these States that effectual measures shall be adopted in

Digitized by Google

future, to protect the persons of their citizens while in British ports.

By the express command of the President of the United States, you are to lay this case, and our sense of it, before his Britannic Majesty's minister for Foreign Affairs, to urge it on his particular notice by all the motives which it calls up, and to communicate to me the result.

I have the honor to be, with great esteem, your most obedient humble servant.

TO JOSHUA JOHNSON.

PHILADELPHIA, December 23, 1790.

DEAR SIR,—The vexations of our seamen and their sufferings under the press-gangs of England, have become so serious, as to oblige our government to take serious notice of it. The particular case has been selected where the insult to the United States has been the most barefaced, the most deliberately intentional, and the proof the most complete. The enclosed letter to you is on that subject, and has been written on the supposition that you would show the original to the Duke of Leeds, and give him a copy of it, but as of your own movement, and not as if officially instructed so to do. You will be pleased to follow up this matter as closely as decency will permit, pressing it in firm but respectful terms, on all occasions. We think it essential that Captain Young's case may be an example to others.

Digitized by Google

The enclosed letters are important. Be so good as to have them conveyed by the surest means possible.

I am, with great esteem, dear Sir, your most obedient, and most humble servant.

TO ALEXANDER HAMILTON.

December 29, 1790.

Thomas Jefferson presents his respectful compliments to the Secretary of the Treasury, and his condolences on the accident of the other evening, which he hopes has produced no serious loss.

He encloses to the Secretary of the Treasury a report of a committee of the National Assembly of France, on the subject of Billon, containing more particular information as to that species of coin than he had before met with. If the metal be so mixed as to make it of 1-5 of the intrinsic value of the standard silver coin of the United States, the cent of billon will be a little smaller than the present 16ths of dollars, and consequently be more convenient than a copper cent. This he submits to the better judgment of the Secretary of the Treasury, and hopes he will consider the liberty taken as an advance towards unreserved communications for reciprocal benefit.

Digitized by Google

TO MR. SHORT.

PHILADELPHIA, January 23, 1791.

SIR,—The 3d and subsequent amendments to the constitution have been agreed to by New Hampshire, Rhode Island, New York, New Jersey, Pennsylvania, Delaware, Maryland, North Carolina, and South Carolina. The first by New Hampshire, Rhode Island, New York, New Jersey, Maryland, North and South Carolina, and the second by only New Jersey, Delaware, Maryland, and the two Carolinas. The other States, viz. Massachusetts, Connecticut, Virginia and Georgia, have not decided on them. Vermont has acceded to the new Constitution of the United States, and is coming forward to ask admission into Congress. Kentucky has asked the same, and a bill for the purpose has passed the Senate, and is now before the Representatives, where it will meet with no difficulty. But they have only asked admission for the year 1792.

The census had made considerable progress, but will not be completed till midsummer. It is judged at present that our numbers will be between four and five millions. Virginia it is supposed will be between 7 and 800,000.

You will perceive by the papers that the object of our Indian expedition has been so imperfectly obtained, as to call for another the ensuing year. By the present conveyance you will probably receive a proclamation, locating the federal territory so as to

Digitized by Google

comprehend Georgetown. It will appear within a day or two. We must still pursue the redemption of our captives through the same channel, till some better means can be devised. The money, however, which is in Mr. Grand's hands, will be the subject of a letter to you from the Secretary of the Treasury, as soon as he can have an act of Congress authorizing the application of it to the debt of the foreign officers.

The most important matters now before Congress are propositions to establish a bank, to establish a land office and excise. The latter measure, though severely modified, is very unpopular in the middle and southern States.

Fenno's and Davies' papers will accompany this. These contain all the laws of the last session, and therefore it is thought better to defer sending them to you in a body, till a third edition appears, which is proposed to be printed, as this will be more conveniently conveyed as well as handled.

I am, with great and sincere esteem, dear Sir, your most obedient, and most humble servant.

TO COLONEL MASON.

PHILADELPHIA, February 4, 1791.

DEAR SIR,—I am to make you my acknowledgments for your favor of January 10th, and the information from France which it contained. It confirmed what I had heard more loosely before, and accounts still more recent are to the same effect. I

Digitized by Google

look with great anxiety for the firm establishment of the new government in France, being perfectly convinced that if it takes place there, it will spread sooner or later all over Europe. On the contrary, a check there would retard the revival of liberty in other countries. I consider the establishment and success of their government as necessary to stay up our own, and to prevent it from falling back to that kind of a half-way house, the English constitution. It cannot be denied that we have among us a sect who believe that to contain whatever is perfect in human institutions; that the members of this sect have, many of them, names and offices which stand high in the estimation of our countrymen. I still rely that the great mass of our community is untainted with these heresies, as is its head. On this I build my hope that we have not labored in vain, and that our experiment will still prove that men can be governed by reason. You have excited my curiosity in saying "there is a particular circumstance, little attended to, which is continually sapping the republicanism of the United States." What is it? What is said in our country of the fiscal arrangements now going on? I really fear their effect when I consider the present temper of the southern States. Whether these measures be right or wrong abstractedly, more attention should be paid to the general opinion. However, all will pass—the excise will pass—the bank will pass. The only corrective of what is corrupt in our present form of government will be the

Digitized by Google

augmentation of the numbers in the lower House, so as to get a more agricultural representation, which may put that interest above that of the stock-jobbers.

I had no occasion to sound Mr. Madison on your fears expressed in your letter. I knew before, as possessing his sentiments fully on that subject, that his value for you was undiminished. I have always heard him say that though you and he appeared to differ in your systems, yet you were in truth nearer together than most persons who were classed under the same appellation. You may quiet yourself in the assurance of possessing his complete esteem. I have been endeavoring to obtain some little distinction for our useful customers, the French. But there is a particular interest opposed to it, which I fear will prove too strong. We shall soon see. I will send you a copy of a report I have given in, as soon as it is printed. I know there is one part of it contrary to your sentiments; yet I am not sure you will not become sensible that a change should be slowly preparing. Certainly, whenever I pass your road, I shall do myself the pleasure of turning into it. Our last year's experiment, however, is much in favor of that by Newgate.

I am, with great respect and esteem, dear Sir, your friend and servant.

Digitized by Google

TO CHARLES HELLSTEDT, SWEDISH CONSUL.

PHILADELPHIA, February 14, 1791.

SIR,—I now return you the papers you were pleased to put into my hands, when you expressed to me your dissatisfaction that our court of admiralty had taken cognizance of a complaint of some Swedish sailors against their captain for cruelty. If there was error in this proceeding, the law allows an appeal from that to the Supreme Court; but the appeal must be made in the forms of the law, which have nothing difficult in them. You were certainly free to conduct the appeal yourself, without employing an advocate, but then you must do it in the usual form. Courts of justice, all over the world, are held by the laws to proceed according to certain forms, which the good of the suitors themselves requires they should not be permitted to depart from.

I have further to observe to you, Sir, that this question lies altogether with the courts of justice; that the Constitution of the United States having divided the powers of government into three branches, legislative, executive, and judiciary, and deposited each with a separate body of magistracy, forbidding either to interfere in the department of the other, the executive are not at liberty to intermeddle in the present question. It must be ultimately decided by the Supreme Court. If you think proper to carry it into that, you may be secure of the strictest justice from them. Partialities they are not at liberty to

Digitized by Google

show. But, for whatever may come before the executive, relative to your nation, I can assure you of every favor which may depend on their dispositions to cultivate harmony and a good understanding with it.

I have the honor to be, with great esteem, Sir, your most obedient, and most humble servant.

TO MR. HAZARD.

PHILADELPHIA, February 18, 1791.

SIR,—I return you the two volumes of records, with thanks for the opportunity of looking into them. They are curious monuments of the infancy of our country. I learn with great satisfaction that you are about committing to the press the valuable historical and State papers you have been so long collecting. Time and accident are committing daily havoc on the originals deposited in our public offices. The late war has done the work of centuries in this business. The last cannot be recovered, but let us save what remains; not by vaults and locks which fence them from the public eye and use in consigning them to the waste of time, but by such a multiplication of copies, as shall place them beyond the reach of accident. This being the tendency of your undertaking, be assured there is no one who wishes it more success than, Sir, your most obedient, and most humble servant.

Digitized by Google

TO ———.[1]

PHILADELPHIA, February 19, 1791.

DEAR SIR,—I feel both the wish and the duty to communicate, in compliance with your request, whatever, within my knowledge, might render justice to the memory of our great countryman, Dr. Franklin, in which Philosophy has to deplore one of its principal luminaries extinguished. But my opportunities of knowing the interesting facts of his life, have not been equal to my desire of making them known. I could indeed relate a number of those bon mots, with which he used to charm every society, as having heard many of them. But these are not your object. Particulars of greater dignity happened not to occur during his stay of nine months, after my arrival in France.

A little before that, Argand had invented his celebrated lamp, in which the flame is spread into a hollow cylinder, and thus brought into contact with the air within as well as without. Doctor Franklin had been on the point of the same discovery. The idea had occurred to him; but he had tried a bull-rush as a wick, which did not succeed. His occupations did not permit him to repeat and extend his trials to the introduction of a larger column of air than could pass through the stem of a bull-rush.

The animal magnetism too of the maniac Mesmer, had just received its death wound from his hand in

[1] Address illegible.

Digitized by Google

conjunction with his brethren of the learned committee appointed to unveil that compound of fraud and folly. But after this, nothing very interesting was before the public, either in philosophy or politics, during his stay; and he was principally occupied in winding up his affairs there.

I can only therefore testify in general, that there appeared to me more respect and veneration attached to the character of Doctor Franklin in France, than to that of any other person in the same country, foreign or native. I had opportunities of knowing particularly how far these sentiments were felt by the foreign ambassadors and ministers at the court of Versailles. The fable of his capture by the Algerines, propagated by the English newspapers, excited no uneasiness; as it was seen at once to be a dish cooked up to the palate of their readers. But nothing could exceed the anxiety of his diplomatic brethren, on a subsequent report of his death, which, though premature, bore some marks of authenticity.

I found the ministers of France equally impressed with the talents and integrity of Dr. Franklin. The Count de Vergennes particularly gave me repeated and unequivocal demonstrations of his entire confidence in him.

When he left Passy, it seemed as if the village had lost its patriarch. On taking leave of the court, which he did by letter, the King ordered him to be handsomely complimented, and furnished him with

Digitized by Google

a litter and mules of his own, the only kind of conveyance the state of his health could bear.

No greater proof of his estimation in France can be given than the late letters of condolence on his death, from the National Assembly of that country, and the community of Paris, to the President of the United States and to Congress, and their public mourning on that event. It is, I believe, the first instance of that homage having been paid by a public body of one nation to a private citizen of another.

His death was an affliction which was to happen to us at some time or other. We have reason to be thankful he was so long spared; that the most useful life should be the longest also; that it was protracted so far beyond the ordinary span allotted to man, as to avail us of his wisdom in the establishment of our own freedom, and to bless him with a view of its dawn in the east, where they seemed, till now, to have learned everything, but how to be free.

The succession to Dr. Franklin, at the court of France, was an excellent school of humility. On being presented to any one as the minister of America, the commonplace question used in such cases was "*c'est vous, Monsieur, qui remplace le Docteur Franklin?*" "it is you, Sir, who replace Doctor Franklin?" I generally answered, "no one can replace him, Sir: I am only his successor."

These small offerings to the memory of our great and dear friend, whom time will be making greater while it is spunging us from its records, must be

Digitized by Google

accepted by you, Sir, in that spirit of love and veneration for him, in which they are made; and not according to their insignificance in the eyes of a world, who did not want this mite to fill up the measure of his worth.

I pray you to accept, in addition, assurances of the sincere esteem and respect with which I have the honor to be, Sir, your most obedient, and most humble servant.

TO HIS EXCELLENCY GOVERNOR HANCOCK.

PHILADELPHIA, February 20, 1791.

SIR,—With many thanks for the papers and information you were pleased to have procured for me on the important subject of the fisheries, I do myself the honor of now enclosing you a copy of my report to the House of Representatives. From the disposition I see prevailing in the principal mass of the Southern members to take measures which may secure to us the principal markets for the produce of the fisheries, and for rescuing our carrying trade from a nation not disposed to make just returns for it, I am in hopes something effectual will be done this session, if these principles are solidly supported by the members from your part of the Union, of which I trust there is no cause to doubt. Should nothing be done, I cannot say what consequences will follow, nor calculate their extent. May I take the liberty of presenting through you, Sir, another

Digitized by Google

copy of the report to the committee who were pleased to lend their assistance in the collection of materials; to show them that I have not failed to present their testimony in that view which might tend to procure a proper interference in this interesting branch of business.

I have the honor to be, with sentiments of the most perfect respect and attachment, your Excellency's most obedient, and most humble servant.

TO MONSIEUR DE PINTO.

PHILADELPHIA, February 21, 1791.

SIR,—I have duly received the letter of November the 30th, which your Excellency did me the honor to write, informing me that her most faithful Majesty had appointed Mr. Freire her minister resident with us, and stating the difficulty of meeting us in the exchange of a chargé des affaires, the grade proposed on our part. It is foreseen, that a departure from our system in this instance, will materially affect our arrangements with other nations; but the President of the United States has resolved to give her Majesty this proof of his desire to concur in whatever may best tend to promote that harmony and perfect friendship so interesting to both countries. He has, therefore, appointed Colonel Humphreys to be minister resident for the United States, at the court of her Majesty. This gentleman has long been of the President's own family, and enjoys his particu-

Digitized by Google

lar confidence. I make no doubt he will so conduct himself as to give perfect satisfaction to her Majesty and yourself, and I therefore recommend him to your friendly attention and respect. Mr. Freire will have every title to the same from us, and will assuredly receive it. It is always with pleasure, that I repeat the homage of those sentiments of respect and esteem with which I have the honor to be, your Excellency's most obedient, and most humble servant.

TO PHILIP FRENEAU.

PHILADELPHIA, February 28, 1791.

SIR,—The clerkship for foreign languages in my office is vacant. The salary, indeed, is very low, being but two hundred and fifty dollars a year; but also, it gives so little to do, as not to interfere with any other calling the person may choose, which would not absent him from the seat of government. I was told a few days ago, that it might perhaps be convenient to you to accept it. If so, it is at your service. It requires no other qualification than a moderate knowledge of the French. Should anything better turn up within my department that might suit you, I should be very happy to be able to bestow it so well. Should you conclude to accept the present, you may consider it as engaged to you, only be so good as to drop me a line informing me of your resolution. I am, with great esteem, Sir, your very humble servant.

Digitized by Google

TO THE COUNT DE MOUSTIER.

PHILADELPHIA, March 2, 1791.

SIR,—I have received your favor of November 6th, wherein you inform me that the King has thought proper, by a new mission to the court of Berlin, to put an end to your functions as his minister plenipotentiary with the United States. The President, in a letter to the King, has expressed his sense of your merit, and his entire approbation of your conduct while here, and has charged me to convey to yourself the same sentiments on his part.

Had you returned to your station with us, you would have received new and continued marks of the esteem inspired by the general worth of your character, as well by the particular dispositions you manifested towards this country.

Amidst the regrets excited by so early a loss of you, it will be a consolation, if your new situation shall contribute to advance your own happiness.

As a testimony of these sentiments, we ask your acceptance of a medal and chain of gold, with which Mr. Short is instructed to present you on the part of the United States.

To this general tribute, permit me to add my own, with sincere wishes for your constant happiness, and assurances of the respect and esteem with which I have the honor to be, Sir, your most obedient, and most humble servant.

Digitized by Google

TO HARRY INNES.

PHILADELPHIA, March 7, 1791.

DEAR SIR,—Your favor of July 8, came to my hands November 30. The infrequency of conveyances, is an apology for this late answer. I receive with pleasure this recognition and renewal of your former acquaintance, and shall be happy to continue it by an exchange of epistolary communications. Yours to me will be always welcome. Your first gives me information in the line of Natural History, and the second (not yet received) promises political news. The first is my passion, the last my duty, and therefore both desirable. I believe entirely with you, that the remains of fortifications found in the Western country, have been the works of the natives. Nothing I have ever yet heard of, proved the existence of a nation here who knew the use of iron. I have never heard even of *burnt* bricks, though they might be made without iron. The statue you have been so kind as to send me, and for which I beg you to accept my thanks, would, because of the hardness of the stone, be a better proof of the use of iron, than I ever yet saw; but as it is a solitary fact, and possible to have been made with implements of stone, and great patience, for which the Indians are remarkable, I consider it to have been so made. It is certainly the best piece of workmanship I ever saw from their hands. If the artist did not intend it, he has very happily hit on the repre-

Digitized by Google

sentation of a woman in the first moments of parturition.

Mr. Brown, the bearer of this, will give you the Congressional news, some good, some so so, like everything else in this world. Our endeavors the last year to punish your enemies have had an unfortunate issue. The federal council has yet to learn by experience, which experience has long ago taught us in Virginia, that rank and file fighting will not do against Indians. I hope this year's experiment will be made in a more auspicious form. Will it not be possible for you to bring General Clark forward? I know the greatness of his mind, and am the more mortified at the cause which obscures it. Had not this unhappily taken place, there was nothing he might not have hoped: could it be surmounted, his lost ground might yet be recovered. No man alive rated him higher than I did, and would again, were he to become again what I knew him. We are made to hope he is engaged in writing the account of his expeditions north of Ohio. They will be valuable morsels of history, and will justify to the world those who have told them how great he was.

Mr. Brown will tell you also that we are not inattentive to the interests of your navigation. Nothing short of actual rupture is omitted. What its effect will be, we cannot yet foretell; but we should not stop even here, were a favorable conjuncture to arise. The move we have now made must bring the matter to issue. I can assure you of the most deter-

Digitized by Google

mined zeal of our chief magistrate in this business, and I trust mine will not be doubted so far as it can be of any avail. The nail will be driven as far as it will go peaceably, and farther the moment that circumstances become favorable. I am, with great esteem, dear Sir, your friend and servant.

TO THE PRESIDENT OF THE NATIONAL ASSEMBLY OF FRANCE.

PHILADELPHIA, March 8, 1791.

SIR,—I have it in charge from the President of the United States of America, to communicate to the National Assembly of France, the peculiar sensibility of Congress to the tribute paid to the memory of Benjamin Franklin, by the enlightened and free representatives of a great nation, in their decree of the 11th of June, 1790.

That the loss of such a citizen should be lamented by us, among whom he lived, whom he so long and eminently served, and who feel their country advanced and honored by his birth, life and labors, was to be expected. But it remained for the National Assembly of France, to set the first example of the representative of one nation, doing homage, by a public act, to the private citizen of another, and by withdrawing arbitrary lines of separation, to reduce into our fraternity the good and the great, wherever they have lived or died.

That these separations may disappear between us

Digitized by Google

in all times and circumstances, and that the union of sentiment which mingles our sorrows on this occasion, may continue long to cement the friendship and the interests of our two nations, is our constant prayer. With no one is it more sincere than with him, who, in being charged with the honor of conveying a public sentiment, is permitted that of expressing the homage of profound respect and veneration with which he is, Sir, your most obedient, and most humble servant.

TO GOVERNOR QUESADA.

PHILADELPHIA, March 10, 1791.

SIR,—We have received with great satisfaction, notification of the orders of his Catholic Majesty, not to permit that persons, held in slavery within the United States, introduce themselves as free persons into the Province of Florida. The known justice of his Majesty and his Government, was a certain dependence to us, that such would be his will. The assurances your Excellency has been pleased to give us of your friendly dispositions, leave us no doubt you will have faithfully executed a regulation so essential to harmony and good neighborhood. As a consequence of the same principles of justice and friendship, we trust that your Excellency will permit, and aid the recovery of persons of the same description, who have heretofore taken refuge within your Government. The bearer hereof is authorized to

Digitized by Google

wait on your Excellency to confer on this subject, and to concur in such arrangements as you shall approve for the recovery of such fugitives.

I beg you to be assured that no occasion shall be neglected of proving our dispositions to reciprocate these principles of justice and friendship, with the subjects of his Catholic Majesty, and that you will be pleased to accept the homage of those sentiments of respect and esteem, with which I have the honor to be, Sir, your most obedient, and most humble servant.

TO ALEXANDER HAMILTON, SECRETARY OF THE TREASURY.

PHILADELPHIA, March 12, 1791.

DEAR SIR,—The President has thought proper to appoint Colonel David Humphreys, minister resident for the United States, at the court of Lisbon, with a salary of four thousand five hundred dollars a year, and an outfit equal to a year's salary. Besides this, by a standing regulation, he will be allowed his disbursements for gazettes transmitted here, translating and printing paper, where that shall be necessary, postage, couriers, and necessary aids to *poor* American sailors. An opportunity occurring, by a vessel sailing for Lisbon within a few days, to send him his commission, I shall be obliged to you to enable me to convey to him at the same time the means of receiving his outfit in the first instance, and his salary and disbursements above described, in quarterly payments afterwards.

Digitized by Google

An act of Congress having authorized the President to take measures for procuring a recognition of our treaty from the new Emperor of Morocco, arrangements for that purpose have been decided. The act allows twenty thousand dollars for this object, but not more than thirteen thousand dollars will be called for in the first instance, if at all, and these, or the means of drawing for them, not till six weeks hence. I thought it proper, however, to apprise you of the call at the earliest day possible, and while the President is here, and to ask your attention to it. I have the honor to be, with sentiments of the most perfect respect and esteem, dear Sir, your most obedient, and most humble servant.

TO MAJOR L'ENFANT.

March —, 1791.

SIR,—You are desired to proceed to Georgetown, where you will find Mr. Ellicot employed in making a survey and map of the federal territory. The special object of asking your aid is to have drawings of the particular grounds most likely to be approved for the site of the federal town and buildings. You will therefore be pleased to begin on the eastern branch, and proceed from thence upwards, laying down the hills, valleys, morasses, and waters between that, the Potomac, the Tyber, and the road leading from Georgetown to the eastern branch, and connecting the whole with certain fixed points of the map

Digitized by Google

Mr. Ellicot is preparing. Some idea of the height of the hills above the base on which they stand, would be desirable. For necessary assistance and expenses, be pleased to apply to the Mayor of Georgetown, who is written to on this subject. I will beg the favor of you to mark to me your progress about twice a week, by letter, say every Wednesday and Saturday evening, that I may be able in proper time to draw your attention to some other objects, which I have not at this moment sufficient information to define. I am, with great esteem, Sir, your most obedient humble servant.

TO WILLIAM CARMICHAEL.

PHILADELPHIA, March 12, 1791.

SIR,—I enclose you a statement of the case of Joseph St. Marie, a citizen of the United States of America, whose clerk, Mr. Swimmer, was, in the latter part of the year 1787, seized on the eastern side of the Mississippi, in latitude 34° 40′, together with his goods, of the value of nineteen hundred and eighty dollars, by a party of Spanish soldiers. They justified themselves under the order of a Mr. Valliere, their officer, who avowed authority from the Governor of New Orleans, requiring him to seize and confiscate all property *found on either side of the Mississippi below the mouth of the Ohio.* The matter being then carried by St. Marie before the Governor of New Orleans, instead of correcting the injury, he avowed

Digitized by Google

the act and its principle, and pretended orders from his court for this and more. We have so much confidence, however, in the moderation and friendship of the court of Madrid, that we are more ready to ascribe this outrage to officers acting at a distance, than to orders from a just sovereign. We have hitherto considered the delivery of the post of the Natchez, on the part of Spain, as only awaiting the result of those arrangements which have been under amicable discussion between us; but the remaining in possession of a post which is so near our limit of thirty-one degrees, as to admit some color of doubt whether it be on our side or theirs, is one thing; while it is a very different one, to launch two hundred and fifty miles further, and seize the persons and property of our citizens; and that too, in the very moment that a friendly accommodation of all differences, is under discussion. Our respect for their candor and good faith does not permit us to doubt, that proper notice will be taken of the presumption of their officer, who has thus put to hazard the peace of both nations, and we particularly expect that indemnification will be made to the individual injured. On this you are desired to insist in the most friendly terms, but with that earnestness and perseverance which the complexion of this wrong requires. The papers enclosed will explain the reasons of the delay which has intervened. It is but lately they have been put into the hands of our government.

Digitized by Google

We cannot omit this occasion of urging on the court of Madrid, the necessity of hastening a final acknowledgment of our right to navigate the Mississippi; a right which has been long suspended in exercise, with extreme inconvenience on our part, merely with a desire of reconciling Spain to what it is impossible for us to relinquish. An accident at this day, like that now complained of, would put further parley beyond our power; yet to such accidents we are every day exposed by the irregularities of their officers, and the impatience of our citizens. Should any spark kindle these dispositions of our borderers into a flame, we are involved beyond recall by the eternal principles of justice to our citizens, which we will never abandon. In such an event, Spain cannot possibly gain, and what may she not lose?

The boldness of this act of the Governor of New Orleans, and of his avowal of it, renders it essential to us to understand the court of Spain on this subject. You will, therefore, avail yourself of the earliest occasion of obtaining their sentiments, and of communicating them to us.

I have the honor to be, with great esteem, Sir, your most obedient, and most humble servant.

TO WILLIAM SHORT.

PHILADELPHIA, March 12, 1791.

DEAR SIR,—The enclosed papers will explain to you a case which imminently endangers the peace of

Digitized by Google

the United States with Spain. It is not, indeed, of recent date, but it has been recently laid before government, and is of so bold a feature as to render dangerous to our rights a further acquiescence in their suspension. The middle ground held by France between us and Spain, both in friendship and interest, requires that we should communicate with her with the fullest confidence on this occasion. I therefore enclose you a copy of my letter to Mr. Carmichael, and of the papers it refers to, to be communicated to Monsieur de Montmorin, whose efficacious interference with the court of Madrid you are desired to ask. We rely with great confidence on his friendship, justice and influence.

A cession of the navigation of the Mississippi, with such privileges as to make it useful, and free from future chicane, can be no longer dispensed with on our part; and perhaps while I am writing, something may have already happened to cut off this appeal to friendly accommodation. To what consequences such an event would lead, cannot be calculated. To such, very possibly, as we should lament, without being able to control. Your earnestness with Monsieur de Montmorin, and with the court of Spain, cannot be more pressing than the present situation and temper of this country requires. The case of St. Marie happens to be the incident presenting itself in the moment, when the general question must otherwise have been brought forward. We rely, on this occasion, on the good offices of the

Digitized by Google

Marquis de La Fayette, whom you are desired to interest in it.

I am, with sincere and great esteem, dear Sir, your most obedient, and most humble servant.

TO COLONEL INNES.

PHILADELPHIA, March 13, 1791.

DEAR SIR,— * * * * * *

What is said with you of the most prominent proceedings of the last Congress? The disapprobation of the assumption with you leads us naturally to attend to your reception of laws for carrying it into effect, which have been thought to present themselves in an unfavorable view. What will be thought of measures taken to force Great Britain by a navigation act, to come forward in fair treaty, and let us substantially into her islands, as a price for the advantages of navigation and commerce which she now derives from us? This is interesting to our agriculture, provided the means adopted be sufficiently gradual. I wish you would come forward to the federal legislature and give your assistance on a larger scale than that on which you are acting at present. I am satisfied you could render essential service; and I have such confidence in the purity of your republicanism, that I know your efforts would go in a right direction. Zeal and talents added to the republican scale will do no harm in Congress. It is fortunate that our first executive

Digitized by Google

magistrate is purely and zealously republican. We cannot expect all his successors to be so, and therefore should avail ourselves the present day to establish principles and examples which may fence us against future heresies preached now, to be practised hereafter. I repeat my wish that I could see you come into the federal councils; no man living joining more confidence in your principles and talents to higher personal esteem than, dear Sir, your most obedient humble servant.

TO WILLIAM SHORT.

PHILADELPHIA, March 15, 1791.

DEAR SIR,—In mine of January the 23d, I acknowledged the receipt of your letters from No. 29 to 48 inclusive, except 31, 44, 45, 46. Since that I have received Nos. 45 and 50; the former in three months and seven days, the latter in two months and seventeen days, by the English packet, which had an uncommonly long passage. Nos. 31, 44, 46, 47, 48, 49, are still missing. They have probably come through merchant vessels and merchants, who will let them lie on their counters two or three months before they will forward them. I wrote you on the 8th and 12th instant, by a private hand, on particular subjects. I am not certain whether this will be in time to go by the same conveyance. In yours of December 23d, you suppose we receive regularly the journals of the National Assembly from your secre-

Digitized by Google

tary at Paris, but we have never received anything from him. Nothing has been addressed to him, his name being unknown to us.

It gives great satisfaction that the *Arret du Conseil* of December, 1787, stands a chance of being saved. It is, in truth, the sheet-anchor of our connection with France, which will be much loosened when that is lost. This *Arret* saved, a free importation of salted meats into France, and of provisions of all kinds into her colonies, will bind our interests to that country more than to all the world besides. It has been proposed in Congress to pass a navigation act, which will deeply strike at that of Great Britain. I send you a copy of it. It is probable the same proposition will be made at the next Congress, as a first step, and for one more extensive at a later period. It is thought the first will be carried; the latter will be more doubtful. Would it not be worth while to have the bill now enclosed, translated, printed and circulated among the members of the National Assembly? If you think so, have it done at the public expense, with any little comment you may think necessary, concealing the quarter from whence it is distributed; or take any other method you think better, to see whether that Assembly will not pass a similar act. I shall send copies of it to Mr. Carmichael, at Madrid, and to Colonel Humphreys, appointed resident at Lisbon, with a desire for them to suggest similar acts there. The measure is just, perfectly innocent as to all other nations, and will effectually defeat the navi-

Digitized by Google

gation act of Great Britain, and reduce her power on the ocean within safer limits.

The time of the late Congress having expired on the 3d instant, they then separated of necessity. Much important matter was necessarily laid over; this navigation act among others. The land law was put off, and nothing farther done with the mint than to direct workmen to be engaged. The new Congress will meet on the 4th Monday in October. Their laws shall be sent you by the first opportunity after they shall be printed. You will receive herewith those of their second session. We know that Massachusetts has agreed to the amendments to the Constitution, except (as is said) the first, second, and twelfth articles. The others, therefore, are now in force. The articles excepted will depend on the other legislatures. The late expedition against the northern Indians having been ineffectual, more serious operations against them will be undertaken as soon as the season admits. The President is just now setting out on a tour to the southern States, from whence he will not return till June. The British packet being the quickest mode of conveyance, I shall avail myself of that, as well as of the French packet, to write to you. Are the letters which now pass through the French post offices opened, as they were under the former government? This is important for me to know.

I am, with great and sincere esteem, dear Sir, your most obedient, and most humble servant.

Digitized by Google

P. S. I omitted to draw your attention to an additional duty of one cent per gallon on rum, by name. This was intended as some discrimination between England and France. It would have been higher, but for the fear of affecting the revenues in a contrary direction.

TO WILLIAM SHORT.

PHILADELPHIA, March 19, 1791.

DEAR SIR,—Your letter of November the 6th, No. 46, by Mr. Osmont, came to hand yesterday, and I have just time, before the departure of Mr. Terrasson, the bearer of my letter of the 15th instant, and despatches accompanying it, to acknowledge the receipt, and inform you that it has been laid before the President. On consideration of the circumstances stated in the second page of your letter, he is of opinion, that it is expedient to press at this moment a settlement of our difference with Spain. You are therefore desired, instead of confining your application for the interference of the court of France, to the simple case of St. Marie, mentioned in my letter of the 12th, to ask it on the broad bottom of general necessity, that our right of navigating the Mississippi be at length ceded by the court of Madrid, and be ceded in such form, as to render the exercise of it efficacious and free from chicane. This cannot be without an entrepôt in some convenient port of the river, where the river and sea craft may

Digitized by Google

meet and exchange loads, without any control from the laws of the Spanish government. This subject was so fully developed to you in my letter of August the 10th, 1790, that I shall at present only refer to that. We wish you to communicate this matter fully to the Marquis de La Fayette, to ask his influence and assistance, assuring him that a settlement of this matter is become indispensable to us; any further delay exposing our peace, both at home and abroad, to accidents, the result of which are incalculable, and must no longer be hazarded. His friendly interposition on this occasion, as well as that of his nation, will be most sensibly felt by us. To his discretion, therefore, and yours, we confide this matter, trusting that you will so conduct it as to obtain our right in an efficacious form, and at the same time to preserve to us the friendship of France and Spain, the latter of which we value much, and the former infinitely.

Mr. Carmichael is instructed to press this matter at Madrid; yet if the Marquis and yourself think it could be better effected at Paris, with the Count de Nunnez, it is left to you to endeavor to try it there. Indeed, we believe it would be more likely to be settled there, than at Madrid or here. Observe always, that to accept the navigation of the river without an entrepôt would be perfectly useless, and that an entrepôt, if trammelled, would be a certain instrument for bringing on war instead of preventing it.

I am, with great esteem, dear Sir, your most obedient humble servant.

Digitized by Google

TO DR. WISTAR.

PHILADELPHIA, March 20, 1791.

SIR,—I am thankful for the trouble which yourself and Dr. Hutchinson have taken, and are still willing to take, on the subject of Mr. Isaacs' discovery. However his method may turn out, this advantage will certainly result from it, that having drawn the public attention to the subject, it may be made the occasion of disseminating among the masters of vessels a knowledge of the fact, that fresh water may be obtained from salt water by a common distillation, and in abundance. Though Lind's, Irvine's, and McQueer's experiments should suffice to satisfy them of this, yet it may fix their faith more firmly, if we can say to them that we have tried these experiments ourselves, and can vouch for their effect. If Mr. Isaacs can increase that effect, so much the better; it will be a new flower in the American wreath. He is poor, and complains that his delay here is very distressing to him. Therefore, I propose to-morrow for the experiment, and will ask the favor of you to fix any hour that may best suit the convenience of Dr. Hutchinson and yourself, from five in the morning to twelve at night, all being equal to me. Only be good as to notify it in time for me to give notice to Mr. Isaacs. Will it not save time, if the great still can be set a-going at the same time with the small ones? He protests against any unfavorable conclusions from a small experiment, because never

Digitized by Google

having tried his method in a small way, he does not know how to proportion his mixture. I am, with great esteem, Sir, your most obedient humble servant.

TO HIS EXCELLENCY GOVERNOR MARTIN.

PHILADELPHIA, March 26, 1791.

SIR,—Having in charge to lay before Congress a general statement of all the lands subject to their disposal, it becomes necessary for me, so far as respects the proceedings of North Carolina, to draw on a map the line which forms the Eastern boundary of the cession of that State to Congress, and then to specify all the private claims within the cession, which form exceptions to their general right of granting the ceded territory. Three classes of these exceptions have been stated to me. First, the returns from Armstrong's office. Second, the claims of the officers of the North Carolina line of the lands reserved for them on the Cumberland. Third, a grant of twenty-five thousand acres to General Greene. I find myself under the necessity of troubling your Excellency to enable me to lay down with precision this dividing line, and then a precise specification and location of the three classes of exceptions before mentioned, and also, any other exceptions which you may know of. Besides that these things can be known only from your offices, I am induced to ask you to take the trouble from an assur-

Digitized by Google

ance that you will be glad to assist in furnishing any information which may prevent the citizens of your State from being involved in litigations by a sale to others of lands to which they may have a just claim, and which would not be so sold, if their claims could be previously known. As I propose to set about this statement immediately, I shall consider it as a great personal obligation, if the measures which your Excellency may be pleased to take for my assistance, can be immediately executed, and the result communicated to me. I have the honor to be, with great esteem and respect, your Excellency's most obedient, and most humble servant.

TO THE PRESIDENT OF THE UNITED STATES.

PHILADELPHIA, March 27, 1791.

SIR,—I have been again to see Mr. Barclay on the subject of his mission, and to hasten him. I communicated to him the draught of his instructions, and he made an observation which may render a small change expedient. You know it has been concluded that he should go without any defined character, in order to save expense. He observed that if his character was undefined they would consider him as an ambassador, and expect proportional liberalities, and he thought it best to fix his character to that of consul, which was the lowest that could be employed. Thinking that there is weight in his opinion, I have the honor to enclose you a blank

Digitized by Google

commission for him as consul, and another letter to the Emperor, no otherwise different from that you signed, but as having a clause of credence in it. If you approve of this change, you will be so good as to sign these papers and return them; otherwise, the letter before signed will still suffice.

I enclose you a Massachusetts paper, whereby you will see that some acts of force have taken place on our eastern boundary. Probably that State will send us authentic information of them. The want of an accurate map of the Bay of Passamaquoddy renders it difficult to form a satisfactory opinion on the point in contest. I write to-day to Rufus Putnam to send me his survey referred to in his letters. There is a report that some acts of force have taken place on the northern boundary of New York, and are now under the consideration of the government of that State. The impossibility of bringing the court of London to an adjustment of any difference whatever, renders our situation perplexing. Should any applications from the States or their citizens be so urgent as to require something to be said before your return, my opinion would be that they should be desired to make no new settlements on our part, nor suffer any to be made on the part of the British, within the disputed territory; and if any attempt should be made to remove them from the settlements already made, that they are to repel force by force, and ask aid of the neighboring militia to do this and no more. I see no other safe way of forcing the

Digitized by Google

British government to come forward themselves and demand an amicable settlement. If this idea meets your approbation, it may prevent a misconstruction by the British, of what may happen, should I have this idea suggested in a proper manner to Colonel Beckwith.

The experiments which have been tried of distilling sea-water with Isaacs' mixture, and also without it, have been rather in favor of the distillation without any mixture.

A bill was yesterday ordered to be brought into the House of Representatives here, for granting a sum of money for building a Federal Hall, house for the President, etc.

You knew of Mr. R. Morris' purchase of Gorham and Phelps of 1,300,000 acres of land of the State of Massachusetts, at 5*d.* an acre. It is said that he has sold 1,200,000 acres of these in Europe, through the agency of V. Franklin, who it seems went on this business conjointly with that of printing his grandfather's works. Mr. Morris, under the name of Ogden, and perhaps in partnership with him, has bought the residue of the lands held in the same country by Massachusetts, for £100,000. The Indian title of the former purchase has been extinguished by Gorham, but that of the latter is not. Perhaps it cannot be. In that case a similarity of interest will produce an alliance with the Yazoo companies. Perhaps a sale may be made in Europe to purchasers ignorant of the Indian right.

Digitized by Google

I shall be happy to hear that no accident has happened to you in the bad roads you have passed, and that you are better prepared for those to come by lowering the hang of your carriage, and exchanging the coachman for two postilions, circumstances which I confess to you appeared to me essential for your safety, for which no one on earth more sincerely prays, both from public and private regard, than he who has the honor to be, with sentiments of the most profound respect, Sir, your most obedient, and most humble servant.

TO MR. LEWIS.

PHILADELPHIA, March 31, 1791.

The recess of Congress permits me now to resume the subject of my letter of August 12th, and to acknowledge the receipt of your favors of September 14th, November 25th, and January 1st. With respect to British debts and property it was thought possible then that they might come forward and discuss the interests and questions existing between the two nations, and as we know they would assail us on the subject of the treaty, without our previously knowing the particular State or States whose proceedings they would make the ground of complaint, we wished to be in a state of preparation on every point. I am therefore to thank you particularly for having furnished us the justifications of this Commonwealth in your letter of January 1st. With

Digitized by Google

respect to the more general object of my letter, that of making a very complete collection of all the laws in force, or which were ever in force in the several States, we are now as to this State possessed of those from 1776 to 1790. I must still avail myself of your kind undertaking in your letters of September 14th and November 25th, to continue your attention to this acquisition till we can have the whole. Indeed, if you would order any bookseller to procure them according to such list as you should give him, it might greatly lessen your trouble, and he could deliver them himself at my office and receive there his pay. Whenever you shall be so good as to notify me of the cost of those already furnished, it shall be immediately reimbursed. I am sure you are sensible of the necessity of possessing at the seat of the General Government, a complete collection of all the laws of all the States, and hope you will perceive there were no persons so likely to make the collection judiciously as the Attorneys for the Districts, which must be the apology for the trouble which has been given you on this subject by him who has the honor to be, with great esteem and respect, Sir, your most obedient, and most humble servant.

TO THE PRESIDENT OF THE UNITED STATES.

PHILADELPHIA, April 2, 1791.

I had the honor of addressing you on the 27th ult., since which letters are received of January 24th,

Digitized by Google

from Mr. Carmichael, and of January 3d and 15th, Madrid, and February 6th, and 12th, Lisbon, from Colonel Humphreys. As these are interesting, and may tend to settle suspense of mind to a certain degree, I shall trouble you with quotations from some parts and the substance of others.

Colonel H. says, "I learn from other good authority, as well as from Mr. Carmichael, that all the representations of Gardoqui (when minister in America), tended to excite a belief that the most respectable and influential people throughout the United States did not wish to have the navigation of the Mississippi opened for years to come, from an apprehension such an event would weaken the government, and impoverish the Atlantic States by emigrations. It was even pretended that none but a handful of settlers on the Western waters, and a few inhabitants of the Southern States would acquiesce in the measure." This is the state of mind to which they have reverted since the crisis with England is passed, for during that, the Count de Florida Blanca threw out general assertions that we should have no reason to complain of their conduct with respect to the Mississippi, which gave rise to the report its navigation was opened. The following passages will be astonishing to you who recollect that there was not a syllable in your letters to Mr. G. M., which looked in the most distant manner to Spain. Mr. Carmichael says, "something, however, might have been done in a moment of projects and apprehension, had not a

Digitized by Google

certain negotiation carried on, on our part, at London, transpired, and which I think was known here rather from British policy, than from the vigilance of the Marquis del Campo. Entirely unacquainted with this manœuvre, although in correspondence with the person employed, I was suspected to be in the secret. This suspicion banished confidence, which returns by slow degrees. This circumstance induced me to drop entirely my correspondence with G. M. To continue it would have done harm, and certainly could do no good. I have seen extracts of the President's letter communicated to the Duke of Leeds, perhaps mutilated or forged to serve here the views of the British cabinet. I do not yet despair of obtaining copies of those letters through the same channel that I procured the first account of the demands of G. B. and the signature of the late convention." Colonel Humphreys says, "the minister had intimations from del Campo of the conferences between Mr. Morris and the Duke of Leeds, which occasioned him to say with warmth to Mr. Carmichael, 'now is your time to make a treaty with England.' Fitzherbert availed himself of these conferences to create apprehensions that the Americans would aid his nation in case of war." Your genuine letter could have made no impression. The British court then must have forged one, to suit their purpose, and I think it will not be amiss to send a genuine copy to Carmichael, to place our faith on its just ground. The principal hope of doing anything

Digitized by Google

now, is founded either on an expected removal of the Count de F. B. from the ministry, in which case persons will be employed who are more friendly to America, or to the bursting out of that fire which both gentlemen think but superficially covered. Mr. Carmichael justifies himself by the interception of his letters. He has shown the originals to Colonel H. He concludes his present letter with these words, "relying on the good opinion of me, that you have been pleased to express on many occasions, I entreat you to engage the President to permit me to return to my native country." Colonel Humphreys, on the subjects of his justification and return says, (after speaking of the persons likely to come into power,) "Mr. Carmichael being on terms of intimacy with the characters here, is certainly capable of effecting more at this court than any other American. He is heartily desirous of accomplishing the object in view at all events, and fully determined to return to America in twelve or eighteen months at farthest. He has expressed that intention repeatedly. To be invested with full powers, perhaps he would be able to do something before his departure from the continent." In his letter of January 15th, he says, "Mr. Carmichael's ideas are just: his exertions will be powerful and unremitting to obtain the accomplishment of our desires before his departure from this country. The task will now be difficult if not impracticable." In that of February 6th, he says, "Mr. Carmichael is much mortified that so many of

Digitized by Google

his despatches have miscarried. By the original documents, which I have seen in his hands, I am convinced he has been extremely assiduous and successful in procuring early and authentic intelligence. It is difficult for a person at a distance to form an adequate judgment of the embarrassments to which a public man, situated as he was, is subjected, in making written communications, from such an inland place, and under such a jealous government. He appears disgusted with the country and the mode of life he is compelled to lead. He desires ardently to return to his native land; but he wishes to distinguish himself first by rendering some essential service to it if possible."

Governor Quesada, by order of his court, is inviting foreigners to go and settle in Florida. This is meant for our people. Debtors take advantage of it, and go off with their property. Our citizens have a right to go where they please. It is the business of the States to take measures to stop them till their debts are paid. This done, I wish a hundred thousand of our inhabitants would accept the invitation. It will be the means of delivering to us peaceably what may otherwise cost us a war. In the meantime, we may complain of this seduction of our inhabitants just enough to make them believe we think it very wise policy for them, and confirm them in it. This is my idea of it. I have the honor to be, with sentiments of the most perfect respect and attachment, Sir, your most obedient, and most humble servant.

Digitized by Google

TO MAJOR L'ENFANT.

PHILADELPHIA, April 10, 1791.

SIR,—I am favored with your letter of the 4th instant, and in compliance with your request, I have examined my papers, and found the plans of Frankfort-on-the-Mayne, Carlsruhe, Amsterdam, Strasburg, Paris, Orleans, Bordeaux, Lyons, Montpelier, Marseilles, Turin, and Milan, which I send in a roll by the post. They are on large and accurate scales, having been procured by me while in those respective cities myself. As they are connected with the notes I made in my travels, and often necessary to explain them to myself, I will beg your care of them, and to return them when no longer useful to you, leaving you absolutely free to keep them as long as useful. I am happy that the President has left the planning of the town in such good hands, and have no doubt it will be done to general satisfaction. Considering that the grounds to be reserved for the public are to be paid for by the acre, I think very liberal reservations should be made for them; and if this be about the Tyber and on the back of the town, it will be of no injury to the commerce of the place, which will undoubtedly establish itself on the deep waters towards the eastern branch and mouth of Rock Creek; the water about the mouth of the Tyber not being of any depth. Those connected with the government will prefer fixing themselves near the public grounds in the centre, which will also be convenient

Digitized by Google

to be resorted to as walks from the lower and upper town. Having communicated to the President, before he went away, such general ideas on the subject of the town as occurred to me, I make no doubt that, in explaining himself to you on the subject, he has interwoven with his own ideas, such of mine as he approved. For fear of repeating therefore what he did not approve, and having more confidence in the unbiassed state of his mind, than in my own, I avoided interfering with what he may have expressed to you. Whenever it is proposed to prepare plans for the Capitol, I should prefer the adoption of some one of the models of antiquity, which have had the approbation of thousands of years; and for the President's house, I should prefer the celebrated fronts of modern buildings, which have already received the approbation of all good judges. Such are the Galerie du Louire, the Gardes meubles, and two fronts of the Hotel de Salm. But of this it is yet time enough to consider. In the meantime I am, with great esteem, Sir, your most obedient humble servant.

TO THE PRESIDENT OF THE UNITED STATES.

PHILADELPHIA, April 10, 1791.

I had the honor of addressing you on the 2d instant, which I presume would overtake you at Richmond. The present, I imagine, will not overtake you till you get to Wilmington. Since my last, I have been

Digitized by Google

honored with your two letters of March 31st, and two others of April 4th, one of which was circular. A copy of this, I sent to the Vice-President, and as Colonel Hamilton has asked a consultation on a letter of Mr. Short's, we shall have a meeting with the Vice-President to-morrow. I will then ask their advice also on the communication to Colonel Beckwith, relative to the supplies to the Indians. Finding, within a day or two after my letter to you of March 27th, that Putnam was gone to the westward, I detained my letter to him, and applied to General Knox, from whom I obtained some information on the Eastern boundary. No official information of the affair of Moose Island is received here. Perhaps it is on the road to you. Nor do we hear anything more of the disturbance said to have arisen on the borders of New York. I have asked the favor of my friend Mr. Madison to think on the subject of the consular commission to Mr. Barclay, so far as we have done so and conferred together as yet. We are both of opinion it may be used; but we shall think and confer further. I presume your only doubt arose on the constitutional powers to "supply vacancies" during the recess of Congress. There was an omission also (which might strike your mind), of the limitation of the commission "till the end of the next session of Congress." As the Constitution limits them, this clause is always useless; however, as it does no harm, it has been usually inserted in the commissions. But in the case of Mr. Barclay,

Digitized by Google

such a clause would require a very awkward explanation to the Emperor of Morocco; and as Mr. Barclay is acquainted with the constitutional determination of his commission, it was thought better to omit the useless expression of it. The acquisition of ground at Georgetown is really noble. Considering that only £25 an acre is to be paid for any grounds taken for the public, and the streets not to be counted, which will in fact reduce it to about £19 an acre, I think very liberal reserves should be made for the public. Your proclamation came to hand the night of the 5th. Dunlap's and Bache's papers for the morning of the 6th being already filled, I could only get it into Brown's evening paper of the 6th. On the 7th, the bill for the federal buildings passed the Representatives here by 42 to 10, but it was rejected yesterday by 9 to 6 in the Senate, or to speak more exactly, it was postponed till the next session. In the meantime, spirited proceedings at Georgetown will probably, under the continuance of your patronage, prevent the revival of the bill. I received last night from Major L'Enfant a request to furnish him any plans of towns I could, for his examination. I accordingly send him, by this post, plans of Frankfort-on-the-Mayne, Carlsruhe, Amsterdam, Strasburg, Paris, Orleans, Bordeaux, Lyons, Montpelier, Marseilles, Turin, and Milan, on large and accurate scales, which I procured while in those towns respectively. They are none of them, however, comparable to the old Babylon, revived in Philadel-

Digitized by Google

phia, and exemplified. While in Europe, I selected about a dozen or two of the handsomest fronts of private buildings, of which I have the plates. Perhaps it might decide the taste of the new town, were these to be engraved here, and distributed gratis among the inhabitants of Georgetown. The expense would be trifling.

I enclose you extracts from a letter of Mr. Short's of January 24th. One of January 28th has since come to hand, containing nothing but a translation of the letter, said to have been written by the Emperor to the King of France, but which he suspects to be a forgery, a forged bull of the Pope having lately appeared in the same way. He says very serious differences have arisen between the Minister of Prussia, at Liege, and the imperial commanding officer there.

I also enclose the debates of the Pennsylvania assembly on the bill for the federal buildings, and the bill itself; and have the honor to be, with sentiments of the most perfect respect and attachment, Sir, your most obedient, and most humble servant.

Extract of a letter from William Short to Thomas Jefferson, Secretary of State, dated Amsterdam, January 24, 1791.

"No loan is yet opened; as far as I can judge it will be found proper to postpone it two or three weeks longer, for reasons mentioned in my former letters, which are of general application, and in this

Digitized by Google

instance particularly for the greater certainty of a success that may enhance the credit of the United States.

"The Reporter of the Committee of Domaines has at length presented the opinion of that committee respecting the Decree on the *Droit d'Aubaine* to the assembly. He had unfortunately connected it with the business of the Successions, so that an adjournment was insisted on in order that the Report might be discussed. It was referred to four different committees. I had put the Marquis de La Fayette fully in possession of this subject, and wrote to him again respecting it, immediately on being informed of the turn it had taken. The Secretary, whom I left in Paris, writes me that they are now trying to get the Diplomatic Committee to ask for a division of this report, and to obtain a decree explanatory merely as to the *Droit d'Aubaine*. In the present ill-humor and jealousy which prevail with respect to colonies, it is difficult to say what they will do—but we may be sure that M. de Montmorin will use his exertions to effect what we desire. I apprehend delay, however, which no application can prevent, and I always had doubts myself with respect to the success of this business, notwithstanding the opinion of the Reporter and Committee of Domaines. I mentioned formerly on what those doubts were founded.

"Since the Report of the Committee of Impositions, made in the month of December, of which you

Digitized by Google

will have seen an extract in the Journals of the Assembly, and of which I enclosed you a copy in my last, nothing more has been said on tobacco, except by a member of the Committee of Finance. You will have seen that the Committee of Imposition propose to abandon tobacco as an article of revenue. The member of the Committee of Finance, on the contrary, insisted on it; another member of the same committee, however, insisted on his informing the assembly that what he said was his private opinion, and not that of the Committee of Finance. Nobody, as I have frequently repeated, can say with certainty, when the assembly will take up any subject, nor what they will decide on it. Their sentiments with respect to tobacco, have experienced a manifest alteration since the first report of the Committee of Imposition respecting it. It is probable now that it will be made an article of free commerce, with a duty on entering the kingdom. But should the Farm be continued, still some modification may be expected at present in favor of their commercial connections with the United States. I forgot to mention above, that I had received through Mr. Donald your letter of November 25 respecting this article.

"The Commercial Committee have formed a new tariff, which is now under press, as they write me, to be presented to the assembly. They not only admit American oils in their plan, but put the duties lower than under the *Arret du Conseil*. It is yet for the assembly to decide on it. I have already informed

Digitized by Google

you of the stages through which this business has been carried, and the manner in which it has been done. I hope the means will be approved of; and the United States will have reason to be satisfied with the result. The delay is inevitable from the nature and proceedings of the assembly. That is the cause, also, of the uncertainty and variation in the opinions which I have communicated to you from time to time on these subjects.

"The resistance of a considerable part of the clergy to a decree of the assembly for their civil organization, and particularly for changing the limits of the dioceses, and the violent measures adopted by the assembly respecting this resistance, or rather non-compliance, has been matter of uneasiness for some time. By a decree of the assembly all those of the clergy who, by a given day, had not taken an oath to maintain the civil organization of that body, were to be deprived of their ecclesiastical functions, and their successors immediately appointed agreeably to the new mode of election. That day rigorously has passed, and only two bishops of the assembly have taken the oath. Of the curates of Paris a majority, also, had refused; but among those subscribed were some of the principal, and particularly the curate of St. Eustache, the King's confessor, who, it is said, was converted by the King himself, who takes every possible means of preventing what might occasion disorder, and who, from his uniform conduct, merits better treatment than he sometimes

Digitized by Google

receives. By a construction of the decree some delay is obtained for its execution. In the meantime two of the refusing bishops have entered into negotiation. They desire to find some decent means of retracting their refusal; hitherto they have waited for the consent of the Pope, to obtain which they had sent an express to Rome. His answer has not yet been received, but it is known by private letters that he is disposed to accommodate at present, though he would not hear of it at first. I know not yet what effect this will produce on the people in the provinces. In the capital, their love of the Revolution so far surpasses every other passion, that all the exertions of the *Garde Nationale* have been necessary to prevent their entering the churches and hanging the refusing curates. They will manifest their dispositions less violently, perhaps, in the provinces, but in general the spirit of the Revolution will certainly predominate, even if the clergy succeed to convince them that it is contrary to the spirit of religion.

"The funds have risen to an uncommon height owing to the considerable reimbursements made by the emission of *assignats*. These do not depreciate as might have been expected. On the whole, if there were any probability of the assembly's confining themselves merely to the business of organizing the government, so as to put an end to their session and call a new legislature, the Revolution might be considered as really in a successful state;

Digitized by Google

but the Report of the Central Committee, which you will have received, prescribes such a superabundance of matter as necessary to be deliberated on and settled by the present assembly, that its end as well as the term of the completion of the constitution can be reduced to no calculation. All that seems to me certain is, that the Revolution will in one way or another end by giving a free government to France. This event might be hastened much by the assembly, if they would. My former letters will have informed you how little I think it is to be hoped from them, and for what reasons.

"The Russians, as has been expected for some time, have taken Ismailow. They stormed it, and put the whole garrison to the sword on the 22d of December. This was probably to strike terror into the Turks, in order to aid the separate negotiation which it is known Prince Potemkin is endeavoring to effect with the Grand Visier. The object is to engage the Porte to accept peace without the mediation of other powers. On the other hand, Prussia is active both in negotiation and military demonstration to counteract this project. Preparations are making for sending a large army into Livonia in the spring, which has induced the Empress to call off some of the heavy troops from those employed against the Turks. England, also, keeps an augmented navy in commission. It seems not doubted that the design is to send a fleet into the Baltic as soon as the season will permit it. It is said, also,

Digitized by Google

that the three mediating powers are negotiating with Denmark, to engage that country to be at least indifferent as to the entrance of this fleet; and that there are grounds for hopes of success. Some think, also, that there are indications which render it probable that Spain will join in the mediation for obtaining peace for the Turks. I have no reason to suppose it other than that arising from the desire which Spain must naturally have to see peace restored to that power. It is supposed if she joins in the mediation it will be merely for that object, and not from any disposition to favor generally the system of the mediating powers. Where so many and such opposite principles enter into account, it would be temerity to conjecture the particular results, without being behind the curtain; and even there probably the schemes are not yet fully ascertained. Every day must necessarily throw new lights on this complicated state of affairs, in proportion as the state of negotiation is more advanced.

"I think it probable myself, that peace will be effected one way or another in the course of the year. The present favorable situation of the Russian army, the dispersed and disheartened situation of the Ottoman, the succor promised by Prussia, so long deferred, the little hope of immediate relief from the geographical position of that power, the ardent desire of Russia to effect a peace without mediation, and the sacrifices she is disposed to make to effect it; all induce me to believe that it will be brought about

Digitized by Google

in that way. If, however, the Porte, from a well-founded confidence in the active interference of the mediating powers, should decide still to hold out, then it seems that the Empress will be induced to come to terms rather than enter the lists with new and powerful enemies, from whom she would have much to fear, particularly by sea. Still I find several who think, from the character of the Empress, that she will resist, and try the event of a campaign rather than sacrifice so much success and so much glory in having a peace dictated to her. Her resources at home are without end from her mode of calling them into action, and her credit, even here, stands high; certainly much higher than it should do. It is supposed, also, that in this extremity she would be seconded by the Emperor, notwithstanding his pacific turn. He would be authorized by treaty to do this, and his present situation would enable him; the disturbances in the various parts of his dominions having been all settled. In Brabant, particularly, his authority is more firmly settled than if he had come to it by inheritance only, since he enjoys it also by a kind of conquest.

"It is the system of the English Cabinet which is considered here as the most unaccountable. The commerce of that country is at present in the most prosperous situation, since the balance is in their favor with every part of Europe. They have more to gain by peace and more to apprehend from war, than any other power, and yet they seem deter-

Digitized by Google

mined to risk it. The advantages of their commerce in the Baltic, are certain; those in the Levant, eventual; still they seem determined to sacrifice one, at least for a time, in order to grasp at the other. On the whole, it is regarded as one of those sacrifices of commerce to politics, which France has so often given examples of. Time will show whether Mr. Pitt, or those who condemn him, are in the right."

TO WILLIAM CARMICHAEL.

PHILADELPHIA, April 11, 1791.

SIR,—I wrote you on the 12th of March, and again on the 17th of the same month; since which, I have received your favor of January the 24th, wherein you refer to copies of two letters, also to a paper No. 1, supposed to be enclosed in that letter; but there was nothing enclosed. You speak particularly of several other letters formerly forwarded, but not a single one was ever received of later date than May the 6th, 1789; and this of January 24th, is all we possess from you since that date. I enclose you a list of letters addressed to you on various subjects, and to which answers were and are naturally expected; and send you again copies of the papers in the case of the Dover Cutter, which has been the subject of so many of those letters, and is the subject of the constant solicitation of the parties here. A final decision on that application, therefore, is earnestly desired. When you consider the repeated

Digitized by Google

references of matters to you from hence, and the total suppression of whatever you have written in answer, you will not be surprised if it had excited a great degree of uneasiness. We had inquired whether private conveyances did not occur, from time to time, from Madrid to Cadiz, where we have vessels almost constantly, and we were assured that such conveyances were frequent. On the whole, Sir, you will be sensible, that under the jealous government with which you reside, the conveyance of intelligence requires as much management as the obtaining it; and I am in hopes that in future, you will be on your guard against those infidelities in that line, under which you and we have so much suffered.

The President is absent on a journey through the southern States, from which he will not return till the end of June; consequently, I could not sooner notify him of your desire to return; but even then, I will take the liberty of saying nothing to him on the subject till I hear further from you. The suppression of your correspondence has, in a considerable degree, withdrawn you from the public sight. I sincerely wish that before your return, you could do something to attract their attention and favor, and render your return pleasing to yourself and profitable to them, by introducing you to new proofs of their confidence. My two last letters to you furnish occasions; that of a co-operation against the British navigation act, and the arrangement of

Digitized by Google

our affairs on the Mississippi. The former, if it can be effected, will form a remarkable and memorable epoch in the history and freedom of the ocean. Mr. Short will press it at Paris, and Colonel Humphreys at Lisbon. The latter will show most at first; and as to it, be so good as to observe always, that the right of navigating the Mississippi is considered as so palpable, that the recovery of it will produce no other sensation than that of a gross injustice removed. The extent and freedom of the port for facilitating the use of it, is what will excite the attention and gratification of the public. Colonel Humphreys writes me, that all Mr. Gardoqui's communications, while here, tended to impress the court of Madrid with the idea, that the navigation of the Mississippi was only demanded on our part to quiet our western settlers, and that it was not sincerely desired by the maritime States. This is a most fatal error, and must be completely eradicated and speedily, or Mr. Gardoqui will prove to have been a bad peacemaker. It is true, there were characters whose stations entitled them to credit, and who, from geographical prejudices, did not themselves wish the navigation of the Mississippi to be restored to us, and who believe, perhaps, as is common with mankind, that their opinion was the general opinion. But the sentiments of the great mass of the Union were decidedly otherwise then, and the very persons to whom Mr. Gardoqui alluded, have now come over to the opinion heartily, that the

Digitized by Google

navigation of the Mississippi, in full and unrestrained freedom, is indispensably necessary, and must be obtained by any means it may call for. It will be most unfortunate, indeed, if we cannot convince Spain that we make this demand in earnest, but by acts which will render that conviction too late to prevent evil.

Not knowing how better to convey to you the laws and the gazettes, than by committing them to the patronage of Colonel Humphreys, I now send through that channel the laws of the second and third sessions of Congress, and the newspapers.

I have the honor to be, with great esteem, Sir, your most obedient, and most humble servant.

TO CHARLES CARROLL OF CARROLLTON.

PHILADELPHIA, April 15, 1791.

DEAR SIR,—I received last night your favor of the 10th, with Mr. Brown's receipt, and thank you for the trouble you have been so kind as to take in this business.

Our news from the westward is disagreeable. Constant murders committing by the Indians, and their combination threatens to be more and more extensive. I hope we shall give them a thorough drubbing this summer, and then change our tomahawk into a golden chain of friendship. The most economical as well as most humane conduct towards them is to bribe them into peace, and to retain them

Digitized by Google

in peace by eternal bribes. The expedition this year would have served for presents on the most liberal scale for one hundred years; nor shall we otherwise ever get rid of an army, or of our debt. The least rag of Indian depredation will be an excuse to raise troops for those who love to have troops, and for those who think that a public debt is a good thing. Adieu, my dear Sir. Yours affectionately.

TO THE PRESIDENT OF THE UNITED STATES.

PHILADELPHIA, April 17, 1791.

SIR,—I had the honor of addressing you on the 2d, which I supposed would find you at Richmond, and again on the 10th, which I thought would overtake you at Wilmington. The present will probably find you at Charleston.

According to what I mentioned in my letter of the 10th, the Vice-President, Secretaries of the Treasury and War, and myself, met on the 11th. Colonel Hamilton presented a letter from Mr. Short, in which he mentioned that the month of February being one of the periodical months in Amsterdam, when, from the receipt of interest and refunding of capitals, there is much money coming in there, and free to be disposed of, he had put off the opening his loan till then, that it might fill the more rapidly, a circumstance which would excite the presumption of our credit;—that he had every reason to hope it would be filled before it would be possible for him, after his then

Digitized by Google

communication of the conditions, to receive your approbation of them, and orders to open a second; which, however, should be awaited, according to his instructions; but he pressed the expediting the order, that the stoppage of the current in our favor might be as short as possible. We saw that if, under present circumstances, your orders should be awaited, it would add a month to the delay, and we were satisfied, were you present, you would approve the conditions, and order a second loan to be opened. We unanimously, therefore, advised an immediate order, on condition the terms of the second loan should not be worse than those of the first.

General Knox expressed an apprehension that the Six Nations might be induced to join our enemies, there being some suspicious circumstances; and he wished to send Colonel Pickering to confirm them in their neutrality. This, he observed, would occasion an expense of about two thousand dollars, as the Indians were never to be met empty handed. We thought the mission advisable. As to myself, I hope we shall give the Indians a thorough drubbing this summer, and I should think it better afterwards to take up the plan of liberal and repeated presents to them. This would be much the cheapest in the end, and would save all the blood which is now spilt: in time, too, it would produce a spirit of peace and friendship between us. The expense of a single expedition would last very long for presents. I mentioned to the gentlemen, the idea of suggesting

Digitized by Google

through Colonel Beckwith our knowledge of the conduct of the British officers in furnishing the Indians with arms and ammunition, and our dissatisfaction. Colonel Hamilton said that Beckwith had been with him on the subject, and had assured him they had given them nothing more than the annual presents, and at the annual period. It was thought proper, however, that he should be made sensible that this had attracted the notice of government. I thought it the more material, lest, having been himself the first to speak of it, he might suppose his excuses satisfactory, and that therefore they might repeat the annual present this year. As Beckwith lodges in the same house with Mr. Madison, I have desired the latter to find some occasion of representing to Beckwith that, though an annual present of arms and ammunition be an innocent thing in time of peace, it is not so in time of war; that it is contrary to the laws of neutrality for a neutral power to furnish military implements to either party at war, and that if their subjects should do it on private account, such furniture might be seized as contraband: to reason with him on the subject, as from himself, but so as to let him see that government thought as himself did.

You knew, I think, before you left us, that the British Parliament had a bill before them for allowing wheat, imported in *British* bottoms, to be warehoused rent free. In order further to circumscribe the carrying business of the United States, they now

Digitized by Google

refuse to consider as an American bottom any vessel not built here. By this construction, they take from us the right of defining, by our own laws, what vessels shall be deemed ours and naturalized here; and in the event of a war, in which we should be neutral, they put it out of our power to benefit ourselves of our neutrality, by increasing suddenly by purchase and naturalization our means of carriage. If we are permitted to do this by building only, the war will be over before we can be prepared to take advantage of it. This has been decided by the Lords Commissioners of the Treasury, in the case of one Green, a merchant of New York; from whom I have received a regular complaint on the subject. I enclose you the copy of a note from Mr. King to Colonel Hamilton, on the subject of the appointment of a British minister to come here. I suspect it, however, to be without foundation.

Colonel Eveleigh died yesterday. Supposing it possible you might desire to appoint his successor as soon as you could decide on one, I enclose you a blank commission; which, when you shall be pleased to fill it up and sign, can be returned for the seal and counter-signature. I enclose you a letter from Mr. Coxe to yourself, on the subject of this appointment, and so much of one to me as related to the same, having torn off a leaf of compliment to lighten and lessen my enclosures to you. Should distributive justice give preference to a successor of the same state with the deceased, I take the liberty of suggest-

Digitized by Google

ing to you Mr. Hayward, of South Carolina, whom I think you told me you did not know, and of whom you are now on the spot of inquiry. I enclose you also a continuation of the Pennsylvania debates on the bill for federal buildings. After the postponement by the Senate, it was intended to bring on the reconsideration of that vote; but the hurry at winding up their session prevented it. They have not chosen a federal Senator.

I have the honor to be, with the most profound respect and sincere attachment, Sir, your most obedient, and most humble servant.

TO THE PRESIDENT OF THE UNITED STATES.

PHILADELPHIA, April 24, 1791.

SIR,—I had the honor of addressing you on the 17th. Since which I have received yours of the 13th. I enclose you extracts from letters received from Mr. Short. In one of the 7th of February, Mr. Short informs me that he has received a letter from M. de Montmorin, announcing to him that the King has named Ternant his minister here. The questions on our tobacco and oil have taken unfavorable turns. The former will pay fifty livres the thousand weight less, when carried in French than foreign bottoms. Oil is to pay twelve livres a kental, which amounts to a prohibition of the common oils, the only kind carried there. Tobacco will not feel the effect of these measures till time will be given to bring it to

Digitized by Google

rights. They had only twenty thousand hogsheads in the kingdom in November last, and they consume two thousand hogsheads a month, so that they must immediately come forward and make great purchases, and not having as yet vessels of their own to carry it, they must pay the extra duties on ours. I have been puzzled about the delays required by Mr. Barclay's affairs. He gives me reason to be tolerably assured, that he will go in the first vessel which shall sail after the last day of May. There is no vessel at present whose destination would suit. Believing that even with this, we shall get the business done sooner than through any other channel, I have thought it best not to change the plan. The last Leyden gazettes give us what would have been the first object of the British arms, had the rupture with Spain taken place.

You know that Admiral Cornish had sailed on an unknown destination before the Convention was received in London. Immediately on its receipt, they sent an express after him to Madeira, in hopes of finding him there. He was gone, and had so short a passage, that in twenty-three days he had arrived in Barbadoes, the general rendezvous. All the troops of the islands were collecting there, and General Matthews was on his way from Antigua to take command of the land operations, when he met with the packet-boat which carried the counter-orders. Trinidad was the object of the expedition. Matthews returned to Antigua, and Cornish is arrived

Digitized by Google

in England. This island, at the mouth of the Oronoko, is admirably suited for a lodgment from which all the country up that river, and all the northern coast of South America, Spanish, French, Dutch and Portuguese, may be suddenly assailed.

Colonel Pickering is now here, and will set out in two or three days to meet the Indians, as mentioned in my last. The intimation to Colonel Beckwith has been given by Mr. Madison. He met it on very different grounds from that on which he had placed it with Colonel Hamilton. He pretended ignorance and even disbelief of the fact; when told that it was out of doubt, he said he was positively sure the distribution of arms had been without the knowledge and against the orders of Lord Dorchester, and of the government. He endeavored to induce a formal communication from me. When he found that could not be effected, he let Mr. Madison perceive that he thought, however informal his character, he had not been sufficiently noticed; said he was in New York before I came into office, and that though he had not been regularly turned over to me, yet I knew his character. In fine, he promised to write to Lord Dorchester the general information we had received, and our sense of it; and he saw that his former apologies to Colonel Hamilton had not been satisfactory to the government. Nothing further from Moose Island, nor the posts on the northern border of New York, nor anything of the last week from the western country.

Digitized by Google

Arthur Campbell has been here. He is the enemy of P. Henry. He says the Yazoo bargain is like to drop with the consent of the purchasers. He explains it thus: They expected to pay for the lands in public paper at par, which they had bought at half a crown a pound. Since the rise in the value of the public paper, they have gained as much on that as they would have done by investing it in the Yazoo lands; perhaps more, as it puts a large sum of specie at their command, which they can turn to better account. They are, therefore, likely to acquiesce under the determination of the government of Georgia to consider the contract as forfeited by non-payment.

I direct this letter to be forwarded from Charleston to Camden. The next will be from Petersburg to Taylor's Ferry; and after that, I shall direct to you at Mount Vernon.

I have the honor to be, with sentiments of the most affectionate respect and attachment, Sir, your most obedient, and most humble servant.

TO WILLIAM SHORT.

PHILADELPHIA, April 25, 1791.

DEAR SIR,—My late letters to you have been of the 8th, 12th, 15th, and 19th of March, yours received and acknowledged are as follows.

* * * * * * * *

Digitized by Google

I consider the consular convention as securing clearly our right to appoint consuls in the French colonies. The words "*Etats du roi*," unquestionably extend to all his dominions. If they had been merely synonymous with "*la France*," why was the alteration made? When I proposed that alteration, I explained my reasons, and it cannot be supposed I wold suffer a change of language but for some matter of substance. Again, in the translation, it is "dominions of France." This translation was submitted to M. de Montmorin and M. de Reyneval, with a request that they would note any deviation in it from the original, or otherwise it would be considered as faithful. No part was objected to. M. de Reyneval says, we must decide by the instrument itself, and not by the explanations which took place. It is a rule, where expressions are susceptible of two meanings, to recur to other explanations. Good faith is in favor of this recurrence. However, in the present case, the expression does not admit of two constructions; it is co-extensive with the dominions of the King. I insist on this, only as a reservation of our right, and not with a view to exercise it, if it shall be inconvenient and disagreeable to the government of France. Only two appointments have as yet been made (Mr. Skipwith at Martinique and Guadaloupe, and Mr. Bourne in St. Dominique), and they shall be instructed not to ask a regular Exequatur. We certainly wish to press nothing on our friends which shall be inconvenient. I shall hope

Digitized by Google

that M. de Montmorin will order such attentions to be shown to those gentlemen as the patronage of commerce may call for, and may not be inconvenient to the government. These gentlemen are most pointedly instructed not to intermeddle, by word or deed, with political matters.

My letter of August, 1790, to Mr. Carmichael, was delivered to him by Colonel Humphreys.

The report you mention of the prospect of our captives at Algiers being liberated, has not taken its rise from any authoritative source. Unfortunately for us, there have been so many persons, who (from friendly or charitable motives, or to recommend themselves) have busied themselves about this redemption, as to excite great expectations in the captors, and render our countrymen in fact irredeemable. We have not a single operation on foot for that purpose, but what you know of, and the more all voluntary interpositions are discouraged the better for our unhappy friends whom they are meant to serve.

You know how strongly we desire to pay off our whole debt to France, and that for this purpose we will use our credit as far as it will hold good. You know, also, what may be the probability of our being able to borrow the whole sum. Under these dispositions and prospects, it would grieve us extremely to see our debt pass into the hands of speculators, and be subjected ourselves to the chicaneries and vexations of private avarice. We desire you,

Digitized by Google

therefore, to dissuade the government, as far as you can prudently, from listening to any overtures of that kind, and as to the speculators themselves, whether native or foreign, to inform them, without reserve, that our government condemns their projects, and reserves to itself the right of paying no where but into the treasury of France, according to their contract.

I enclose you a copy of Mr. Grand's note to me, stating the conditions on which Drost would come, and also a letter from the Secretary of the Treasury, expressing his ideas as to those terms, with which I agree. We leave to your agency the engaging and sending Mr. Drost as soon as possible, and to your discretion to fix the terms, rendering the allowance for expenses certain, which his first proposition leaves uncertain. Subsistence here costs about one-third of what it does in Paris, to a housekeeper. In a lodging house, the highest price for a room and board is a dollar a day, for the master, and half that for the servant. These facts may enable you to settle the article of expenses reasonably. If Mr. Drost undertakes assaying, I should much rather confide it to him, than to any other person who can be sent. It is the most confidential operation in the whole business of coining. We should expect him to instruct a native in it. I think, too, he should be obliged to continue longer than a year, if it should be necessary for qualifying others to continue his operations. It is not important that he be here till

Digitized by Google

November or December, but extremely desirable then. He may come as much sooner as he pleases.

We address to M. la Motte a small box for you, containing a complete set of the journals of the ancient Congress, the acts of the last session of the federal legislature, and a continuation of the newspapers. I am, with great and sincere esteem, dear Sir, your affectionate friend and humble servant.

TO THE PRESIDENT OF THE UNITED STATES.

PHILADELPHIA, May 1, 1791.

SIR,—I had the honor of addressing you on the 24th ult., which I presume you will have received at Camden. The present is ordered to go from Petersburg to Taylor's Ferry. I think it better my letters should be even some days ahead of you, knowing that if they ever get into your rear they will never overtake you. I write to-day, indeed, merely as the watchman cries, to prove himself awake, and that all is well, for the last week has scarcely furnished anything foreign or domestic, worthy your notice. Truxton is arrived from the East Indies, and confirms the check by Tippoo Saib, on the detachment of Colonel Floyd, which consisted of between three and four thousand men. The latter lost most of his baggage and artillery, and retreated under the pursuit of the enemy. The loss of men is pretended by their own papers to have been two or three hundred only. But the loss and

Digitized by Google

character of the officers killed, makes me suspect that the situation has been such as to force the best officers to expose themselves the most, and consequently that more men must have fallen. The main body with General Meadows at their head are pretended to be going on boldly. Yet, Lord Cornwallis is going to take the field in person. This shows that affairs are in such a situation as to give anxiety. Upon the whole, the account received through Paris papers proves true, notwithstanding the minister had declared to the House of Commons, in his place, that the public accounts were without foundation, and that nothing amiss had happened.

Our loan in Amsterdam for two and a half million of florins filled in two hours and a half after it was opened.

The Vice-President leaves us to-morrow. We are told that Mr. Morris gets £70,000 sterling for the lands he has sold.

A Mr. Noble has been here, from the country where they are busied with the sugar-maple tree. He thinks Mr. Cooper will bring three thousand pounds worth to market this season, and gives the most flattering calculations of what may be done in that way. He informs me of another most satisfactory fact, that less profit is made by converting the juice into spirit than into sugar. He gave me specimens of the spirit, which is exactly whiskey.

I have arrived at Baltimore from Marseilles forty olive trees of the best kind from Marseilles, and a box

Digitized by Google

of seed, the latter to raise stocks, and the former, cuttings to engraft on the stocks. I am ordering them on instantly to Charleston, where, if they arrive in the course of this month, they will be in time. Another cargo is on its way from Bordeaux, so that I hope to secure the commencement of this culture, and from the best species. Sugar and oil will be no mean addition to the articles of our culture. I have the honor to be, with the greatest respect and esteem, Sir, your most obedient, and most humble servant.

TO THE ATTORNEY OF THE DISTRICT OF KENTUCKY.

PHILADELPHIA, May 7, 1791.

SIR,—A certain James O'Fallon is, as we are informed, undertaking to raise, organize and commission an army, of his own authority, and independent of that of the government, the object of which is, to go and possess themselves of lands which have never yet been granted by any authority, which the government admits to be legal, and with an avowed design to hold them by force against any power, foreign or domestic. As this will inevitably commit our whole nation in war with the Indian nations, and perhaps others, it cannot be permitted that all the inhabitants of the United States shall be involved in the calamities of war, and the blood of thousands of them be poured out, merely that a few adventurers may possess themselves of lands; nor

Digitized by Google

can a well ordered government tolerate such an assumption of its sovereignty by unauthorized individuals. I send you herein the Attorney General's opinion of what may legally be done, with a desire that you proceed against the said O'Fallon according to law. It is not the wish, to extend the prosecution to other individuals, who may have given thoughtlessly into his unlawful proceeding. I enclose you a proclamation to this effect. But they may be assured, that if this undertaking be prosecuted, the whole force of the United States will be displayed to punish the transgression. I enclose you one of O'Fallon's commissions, signed, as is said, by himself.

I have the honor to be, with great esteem, Sir, your most obedient humble servant.

TO THE PRESIDENT OF THE UNITED STATES.

PHILADELPHIA, May 8, 1791.

SIR,—The last week does not furnish one single public event worthy communicating to you; so that I have only to say "all is well." Paine's answer to Burke's pamphlet begins to produce some squibs in our public papers. In Fenno's paper they are Burkites, in the others, Painites. One of Fenno's was evidently from the author of the discourses on Davila. I am afraid the indiscretion of a printer has committed me with my friend, Mr. Adams, for whom, as one of the most honest and disinterested men alive,

Digitized by Google

I have a cordial esteem, increased by long habits of concurrence in opinion in the days of his republicanism; and even since his apostasy to hereditary monarchy and nobility, though we differ, we differ as friends should do. Beckley had the only copy of Paine's pamphlet, and lent it to me, desiring when I should have read it, that I would send it to a Mr. J. B. Smith, who had asked it for his brother to reprint it. Being an utter stranger to J. B. Smith, both by sight and character, I wrote a note to explain to him why I (a stranger to him) sent him a pamphlet, to wit, that Mr. Beckley had desired it; and to take off a little of the dryness of the note, I added that I was glad to find it was to be reprinted, that something would, at length, be publicly said against the political heresies which had lately sprung up among us, and that I did not doubt our citizens would rally again round the standard of common sense. That I had in my view the discourses on Davila, which have filled Fenno's papers, for a twelvemonth, without contradiction, is certain, but nothing was ever further from my thoughts than to become myself the contradictor before the public. To my great astonishment, however, when the pamphlet came out, the printer had prefixed my note to it, without having given me the most distant hint of it. Mr. Adams will unquestionably take to himself the charge of political heresy, as conscious of his own views of drawing the present government to the form of the English constitution, and, I fear, will consider me as meaning to injure

Digitized by Google

him in the public eye. I learn that some Anglo-men have censured it in another point of view, as a sanction of Paine's principles tends to give offence to the British government. Their real fear, however, is that this popular and republican pamphlet, taking wonderfully, is likely at a single stroke, to wipe out all the unconstitutional doctrines which their bell-wether Davila has been preaching for a twelvemonth. I certainly never made a secret of my being anti-monarchical, and anti-aristocratical; but I am sincerely mortified to be thus brought forward on the public stage, where to remain, to advance or to retire, will be equally against my love of silence and quiet, and my abhorrence of dispute. I do not know whether you recollect that the records of Virginia were destroyed by the British in the year 1781. Particularly the transactions of the revolution before that time. I am collecting here all the letters I wrote to Congress while I was in the administration there, and this being done, I shall then extend my views to my predecessors, in order to replace the whole in the public offices in Virginia. I think that during my administration, say between June 1, 1779, and June 1, 1781, I had the honor of writing frequent letters to you on public affairs, which perhaps, may be among your papers at Mount Vernon. Would it be consistent with any general resolution you have formed as to your papers, to let my letters of the above period come here to be copied, in order to make them a part of the records I am endeavoring

Digitized by Google

to restore for the State? or would their selection be too troublesome? if not, I would beg the loan of them, under an assurance that they shall be taken the utmost care of, and safely returned to their present deposit.

The quiet and regular movement of our political affairs leaves nothing to add but constant prayers for your health and welfare, and assurances of the sincere respect and attachment of, Sir, your most obedient, and most humble servant.

TO THE HONORABLE JEREMIAH WADSWORTH.

PHILADELPHIA, May 11, 1791.

SIR,—I have duly received your favor of April 20. The exemption from the *Droit d'Aubaine* in the French West Indies, has been for some time past a subject of attention. As the National Assembly were abolishing it in *France* for all nations, I desired our Chargé des Affaires there to see that the decree should be extended to all the *dominions* of France. His letters assure me that it will be done, so as to remove this grievance hereafter. With respect to the past, I believe it has been judiciously determined in France that the exemption given by our treaty did not extend to their foreign possessions. Should Mr. Johnston, however, be disposed to try this matter, it will be requisite for him to obtain from Port-au-Prince an authenticated record of the proceedings in his case. It would seem, also, that those

Digitized by Google

in the case of the gentleman of Curracoa, might be useful. These should be transmitted to some person in Paris to solicit the government for him. Though it is not permitted that our Chargé des Affaires there, or anywhere, should act as the private agent or solicitor for any individual, yet he will lend his aid and influence wherever it may be just and useful, by official applications. I have the honor to be, with great esteem, Sir, your most obedient, and most humble servant.

TO MR. DUMAS.

PHILADELPHIA, May 13, 1791.

SIR,—You will readily conceive that the union of domestic with the foreign affairs under the department of State, brings on the head of this department such incessant calls, not admitting delay, as oblige him to postpone whatever will bear postponing; hence, though it is important that I should continue to receive, from time to time, regular information from you of whatever occurs within your notice, interesting to the United States, yet it is not in mv power to acknowledge the receipt of your letters regularly as they come. I mention this circumstance that you may ascribe the delay of acknowledgment to the real cause, and that it may not produce any relaxation on your part in making all those communications which it is important should be received, and which govern our proceedings, though it is not in my power to note it to you specially.

Digitized by Google

In general, our affairs are proceeding in a train of unparalleled prosperity. This arises from the real improvements of our government, from the unbounded confidence reposed in it by the people, their zeal to support it, and their conviction that a solid Union is the best rock of their safety, from the favorable seasons which for some years past have co-operated with a fertile soil and a genial climate to increase the productions of agriculture, and from the growth of industry, economy and domestic manufactures; so that I believe I may say with truth, that there is not a nation under the sun enjoying more present prosperity, nor with more in prospect. The Indians on our frontier, indeed, still continue to cut off straggling individuals or families falling in their way. An expedition against them the last summer was less successful than there was reason to expect. We lost in it about one hundred men. The operations of the present summer will more probably bring them to peace, which is all we desire of them, it having been a leading object of our present Government to guaranty them in their present possessions, and to protect their persons with the same fidelity which is extended to its own citizens. We ask nothing of them but that they will accept our peace, friendship and services; and we hope soon to make them sensible of this, in spite of the incitements against us, which they have been so much the dupes of. This is the general state of our affairs at present, as faithfully as I am able to give it.

Digitized by Google

I am to acknowledge the receipt of your favors of April 2, May 8, 17, 26; July 10, 14; September 7, 30; October 19, November 23, December 6 and 11. I now receive the Leyden Gazette with great regularity by the British packet, and thank you for your attention to this, with a request that it may be continued.

There is no doubt it would be desirable for us to receive our intelligence from Europe through a channel of our own; but the expense of an establishment of packet-boats would be beyond the value of the object for us, considering that our connection with Europe is less political than commercial, and that information of the latter kind may come safely through any channel. In fact, if we attend to the whole amount of our civil list, we shall find that the expense of packet-boats would make a very sensible addition to it. The idea, therefore, though good, must be suspended yet awhile.

Accept my thanks on the part of the Government for the copy of Rymer you have been so good as to send us, and which is duly received, and be assured of the sincere esteem and attachment with which I have the honor to be, Sir, your most obedient, and most humble servant.

Digitized by Google

TO THOMAS BARCLAY.

PHILADELPHIA, May 13, 1791.

SIR,—You are appointed by the President of the United States, to go to the court of Morocco, for the purpose of obtaining from the new Emperor, a recognition of our treaty with his father. As it is thought best that you should go in some definite character, that of consul has been adopted, and you consequently receive a commission as consul for the United States, in the dominions of the Emperor of Morocco, which, having been issued during the recess of the Senate, will, of course, expire at the end of their next session. It has been thought best, however, not to insert this limitation in the commission, as being unnecessary; and it might, perhaps, embarrass. Before the end of the next session of the Senate, it is expected the objects of your mission will be accomplished.

Lisbon being the most convenient port of correspondence between us and Morocco, sufficient authority will be given to Colonel Humphreys, resident of the United States at that place, over funds in Amsterdam, for the objects of your mission. On him, therefore, you will draw for the sums herein allowed, or such parts of them as shall be necessary. To that port, too, you had better proceed in the first vessel which shall be going there, as it is expected you will get a ready passage from thence to Morocco.

On your arrival at Morocco, sound your ground,

Digitized by Google

and know how things stand at present. Your former voyage there, having put you in possession of the characters through whom this may be done, who may best be used for approaching the Emperor and effecting your purpose, you are left to use your own knowledge to the best advantage.

The object being merely to obtain an acknowledgment of the treaty, we rely that you will be able to do this, giving very moderate presents. As the amount of these will be drawn into precedent, on future similar repetitions of them, it becomes important. Our distance, our seclusion from the ancient world, its politics and usages, our agricultural occupations and habits, our poverty, and lastly, our determination to prefer war in all cases, to tribute under any form, and to any people whatever, will furnish you with topics for opposing and refusing high or dishonoring pretensions; to which may be added, the advantages their people will derive from our commerce, and their sovereign, from the duties laid on whatever we extract from that country.

Keep us regularly informed of your proceedings and progress, by writing by every possible occasion, detailing to us particularly your conferences, either private or public, and the persons with whom they are held.

We think that Francisco Chiappe has merited well of the United States, by his care of their peace and interests. He has sent an account of disbursements for us, amounting to three hundred and ninety-four

Digitized by Google

dollars. Do not recognize the account, because we are unwilling, by doing that, to give him a color for presenting larger ones hereafter, for expenses which it is impossible for us to scrutinize or control. Let him understand, that our laws oppose the application of public money so informally; but in your presents, treat *him* handsomely, so as not only to cover this demand, but go beyond it with a liberality which may fix him deeply in our interests. The place he holds near the Emperor, renders his friendship peculiarly important. Let us have nothing further to do with his brothers, or any other person. The money which would make one good friend, divided among several, will produce no attachment.

The Emperor has intimated that he expects an ambassador from us. Let him understand, that this may be a custom of the old world, but it is not ours; that we never sent an ambassador to any nation.

You are to be allowed, from the day of your departure till your return, one hundred and sixty-six dollars and sixty-six cents and two-thirds, a month, for your time and expenses, adding thereto your passage money and sea stores going and coming.

Remain in your post till the 1st of April next, and as much longer as shall be necessary to accomplish the objects of your mission, unless you should receive instructions from hence to the contrary.

With your commission, you will receive a letter

Digitized by Google

to the Emperor of Morocco, a cypher, and a letter to Colonel Humphreys.

I have the honor to be, with great esteem, Sir, your most obedient, and most humble servant.

A private instruction which Mr. Barclay is to carry in his memory, and not on paper, lest it should come into improper hands.

We rely that you will obtain the friendship of the new Emperor, and his assurances that the treaty shall be faithfully observed, with as little expense as possible. But the sum of ten thousand dollars is fixed as the limit which all your donations together are not to exceed.

May 13, 1791.

[*Letter from the President to the Emperor of Morocco, referred to in the letter to Mr. Barclay.*]

GREAT AND MAGNANIMOUS FRIEND,—Separated by an immense ocean from the more ancient nations of the earth, and little connected with their politics or proceedings, we are late in learning the events which take place among them, and later in conveying to them our sentiments thereon.

The death of the late Emperor, your father and our friend, of glorious memory, is one of those events which, though distant, attracts our notice and concern. Receive, great and good friend, my sincere sympathy with you on that loss; and permit me, at

Digitized by Google

the same time, to express the satisfaction with which I learn the accession of so worthy a successor to the imperial throne of Morocco, and to offer you the homage of my sincere congratulations. May the days of your Majesty's life be many and glorious, and may they ever mark the era during which a great people shall have been most prosperous and happy, under the best and happiest of sovereigns!

The late Emperor, very soon after the establishment of our infant nation, manifested his royal regard and amity to us by many friendly and generous acts, and, particularly, by the protection of our citizens in their commerce with his subjects. And as a further instance of his desire to promote our prosperity and intercourse with his realms, he entered into a treaty of amity and commerce with us, for himself and his successors, to continue fifty years. The justice and magnanimity of your Majesty, leave us full confidence that the treaty will meet your royal patronage also; and it will give me great satisfaction to be assured, that the citizens of the United States of America may expect from your imperial Majesty, the same protection and kindness, which the example of your illustrious father has taught them to expect from those who occupy the throne of Morocco, and to have your royal word, that they may count on a due observance of the treaty which cements the two nations in friendship.

This will be delivered to your Majesty, by our faithful citizen, Thomas Barclay, whom I name

Digitized by Google

consul for these United States in the dominions of your Majesty, and who, to the integrity and knowledge qualifying him for that office, unites the peculiar advantage of having been the agent, through whom our treaty with the late Emperor was received. I pray your Majesty to protect him in the exercise of his functions for the patronage of the commerce between our two countries, and of those who carry it on.

May that God, whom we both adore, bless your imperial Majesty with long life, health and success, and have you always, great and magnanimous friend, under his holy keeping.

Written at Philadelphia, the thirty-first day of March, in the fifteenth year of our sovereignty and independence, from your good and faithful friend.

TO THOMAS MANN RANDOLPH.[1]

BENNINGTON, in Vermont, June 5, 1791.

DEAR SIR,—Mr. Madison and myself are so far on the tour we had projected. We have visited, in the course of it, the principal scenes of General Burgoyne's misfortunes, to wit, the grounds at Stillwater, where the action of that name was fought, and particularly the breastworks, which cost so much blood to both parties, the encampments at Saratoga and ground where the British piled their arms, and the field of the battle of Bennington, about nine

[1] No address.

Digitized by Google

miles from this place. We have also visited Forts William, Henry and George, Ticonderoga, Crown Point, etc., which have been scenes of blood from a very early part of our history. We were more pleased, however, with the botanical objects which continually presented themselves. Those either unknown or rare in Virginia, were the sugar maple in vast abundance. The silver fir, white pine, pitch pine, spruce pine, a shrub with decumbent stems, which they call juniper, an aralea, very different from the nudiflora, with very large clusters of flowers, more thickly set on the branches, of a deeper red, and high pink-fragrance. It is the richest shrub I have seen. The honey-suckle of the gardens growing wild on the banks of Lake George, the paper-birch, an aspen with a velvet leaf, a shrub-willow with downy catkins, a wild gooseberry, the wild cherry with single fruit, (not the bunch cherry,) strawberries in abundance. From the highlands to the lakes it is a limestone country. It is in vast quantities on the eastern sides of the lakes, but none on the western sides. The Sandy Hill Falls and Wing's Falls, two very remarkable cataracts of the Hudson, of about thirty-five feet or forty feet each, between Fort Edward and Fort George, are of limestone, in horizontal strata. Those of the Cohoes, on the west side of the Hudson, and of seventy feet height, we thought not of limestone. We have met with a small red squirrel, of the color of our fox-squirrel, with a black stripe on each side,

Digitized by Google

weighing about six ounces generally, and in such abundance on Lake Champlain particularly, as that twenty odd were killed at the house we lodged in, opposite Crown Point, the morning we arrived there, without going ten yards from the door. We killed three crossing the lakes, one of them just as he was getting ashore, where it was three miles wide, and where, with the high wind then blowing, he must have made it five or six miles.

I think I asked the favor of you to send for Anthony in the season for inoculation, as well as to do what is necessary in the orchard, as to pursue the object of inoculating all the spontaneous cherry trees in the fields with good fruit.

We have now got over about four hundred miles of our tour, and have still about four hundred and fifty more to go over. Arriving here on the Saturday evening, and the laws of the State not permitting us to travel on the Sunday, has given me time to write to you from hence. I expect to be at Philadelphia by the 20th or 21st. I am, with great and sincere esteem, dear Sir, yours affectionately.

TO COLONEL MONROE.

PHILADELPHIA, July 10, 1791.

DEAR SIR,—Your favor of June 17, has been duly received. I am endeavoring to get for you the lodgings Langdon had. But the landlord is doubtful whether he will let them at all. If he will not, I will

Digitized by Google

endeavor to do the best I can. I can accommodate you myself with a stable and coach-house, without any expense, as I happen to have two on hand; and indeed, in my new one, I have had stalls enough prepared for six horses, which are two more than I keep. Of my success in procuring rooms, I shall bring you news myself, though as yet the time of my visit to Albemarle is unfixed. Mr. Madison will both go and come with me. He is at present at New York. His journey with me to the lakes placed him in better health than I have seen him; but the late heats have brought on some bilious dispositions.

The papers which I send Mr. Randolph weekly, and which I presume you see, will have shown you what a dust Paine's pamphlet has kicked up here. My last to Mr. Randolph will have given an explanation as to myself, which I had not time to give when I sent you the pamphlet. A writer, under the name of Publicola, in attacking all Paine's principles, is very desirous of involving me in the same censure with the author. I certainly merit the same, for I profess the same principles; but it is equally certain I never meant to have entered as a volunteer into the cause. My occupations do not permit it. Some persons here are insinuating that I am Brutus, that I am Agricola, that I am Philodemus, etc., etc. I am none of them, being decided not to write a word on the subject, unless any printed imputation should call for a printed disavowal, to which I should put my name. A Boston paper has declared that Mr.

Digitized by Google

Adams "has no more concern in the publication of the writings of Publicola, than the author of the 'Rights of Man' himself." If the equivoque here were not intended, the disavowal is not entirely credited, because not from Mr. Adams himself, and because the style and sentiments raise so strong a presumption. Besides, to produce any effect he must disavow Davila and the Defence of the American Constitutions. A host of writers have risen in favor of Paine, and prove that in this quarter, at least, the spirit of republicanism is sound. The contrary spirit of the high officers of government is more understood than I expected. Colonel Hamilton avowing that he never made a secret of his principles, yet taxes the imprudence of Mr. Adams in having stirred the question, and agrees that "his business is done." Jay, covering the same principles under the veil of silence, is rising steadily on the ruins of his friends. The bank filled and overflowed in the moment it was opened. Instead of twenty thousand shares, twenty-four thousand were offered, and a great many unpresented, who had not suspected that so much haste was necessary. Thus it is that we shall be paying thirteen per cent. per annum for eight millions of paper money, instead of having that circulation of gold and silver for nothing. Experience has proved to us that a dollar of silver disappears for every dollar of paper emitted; and, for the paper emitted from the bank, seven per cent. profits will be received by the subscribers for it as

Digitized by Google

bank paper, (according to the last division of profits by the Philadelphia bank,) and six per cent. on the public paper of which it is the representative. Nor is there any reason to believe, that either the six millions of paper, or the two millions of specie deposited, will not be suffered to be withdrawn, and the paper thrown into circulation. The cash deposited by strangers for safe keeping will probably suffice for cash demands. Very few subscribers have offered from Virginia or North Carolina, which gives uneasiness to H. It is impossible to say where the appetite for gambling will stop. The land office, the federal town, certain schemes of manufacture, are all likely to be converted into aliment for that rage; but this subject is too copious for a letter, and must be reserved for conversation. The respite from occupation which my journey procured, has entirely removed my headaches. Kiss and bless Mrs. Monroe and Eliza, for, dear Sir, yours affectionately.

TO COLONEL HUMPHREYS.

PHILADELPHIA, July 13, 1791.

SIR,—Mr. Barclay having been detained longer than was expected, you will receive this as well as my letter of May the 13th from him. Since the date of that, I have received your No. 15, March the 31st, No. 16, April the 8th, No. 17, April the 30th, No. 18, May the 3d, and No. 20, May the 21st.

You are not unacquainted with the situation of

Digitized by Google

our captives at Algiers. Measures were taken, and were long depending, for their redemption. During the time of their dependence, we thought it would forward our success to take no notice of the captives. They were maintained by the Spanish consul, from whom applications for reimbursement, through Mr. Carmichael, often came: no answer of any kind was ever given. A certainty now that our measures for their redemption will not succeed, renders it unnecessary for us to be so reserved on the subject, and to continue to wear the appearance of neglecting them. Though the government might have agreed to ransom at the lowest price admitted with any nation (as, for instance, that of the French order of Merci), they will not give anything like the price which has been lately declared to be the lowest by the captors. It remains, then, for us to see what other means are practicable for their recovery. In the meantime, it is our desire that the disbursements hitherto made for their subsistence, by the Spanish consul or others, be paid off, and that their future comfortable subsistence be provided for. As to past disbursements, I must beg the favor of you to write to Mr. Carmichael, that you are authorized to pay them off, pray him to let you know their amount, and to whom payments are due. With respect to future provision for the captives, I must put it into your hands. The impossibility of getting letters to or from Mr. Carmichael, renders it improper for us to use that channel. As to the footing on which they are to be sub-

Digitized by Google

sisted, the ration and clothing of a soldier would have been a good measure, were it possible to apply it to articles of food and clothing so extremely different as those used at Algiers. The allowance heretofore made them by the Spanish consul might perhaps furnish a better rule, as we have it from themselves, that they were then comfortably subsisted. Should you be led to correspond with them at all, it had better be with Captain O'Bryan, who is a sensible man, and whose conduct since he has been there, has been particularly meritorious. It will be better for you to avoid saying anything which may either increase or lessen their hopes of ransom. I write to our bankers, to answer your drafts for these purposes, and enclose you a duplicate to be forwarded with your first draft. The prisoners are fourteen in number; their names and qualities as follows: Richard O'Bryan and Isaac Stephens, captains; Andrew Montgomery and Alexander Forsyth, mates; Jacob Tessanier, a French passenger; William Patterson, Philip Sloan, Peleg Lorin, John Robertson, James Hall, James Cathcart, George Smith, John Gregory, James Hermel, seamen. They have been twenty-one or twenty-two.

We are in hourly expectation of hearing the event of General Scott's irruption into the Indian country, at the head of between seven and eight hundred mounted infantry. Perhaps it may yet be known in time to communicate to you by this opportunity. Our bank was filled with subscriptions the moment

Digitized by Google

it was opened. Eight millions of dollars were the whole permitted to be subscribed, of which two millions were deposited in cash, the residue to be public paper. Every other symptom is equally favorable to our credit.

The President has returned from his southern tour in good health. You will receive herewith the newspapers up to the present date. I have the honor to be, with great esteem, dear Sir, your most obedient, and most humble servant.

TO JOHN ADAMS.

PHILADELPHIA, July 17, 1791.

DEAR SIR,—I have a dozen times taken up my pen to write to you, and as often laid it down again, suspended between opposing considerations. I determine, however, to write from a conviction that truth, between candid minds, can never do harm. The first of Paine's pamphlets on the rights of man, which came to hand here, belonged to Mr. Beckley. He lent it to Mr. Madison, who lent it to me; and while I was reading it, Mr. Beckley called on me for it, and, as I had not finished it, he desired me, as soon as I should have done so, to send it to Mr. Jonathan B. Smith, whose brother meant to reprint it. I finished reading it, and, as I had no acquaintance with Mr. Jonathan B. Smith, propriety required that I should explain to him why I, a stranger to him, sent him the pamphlet. I accordingly wrote a note of compli-

Digitized by Google

ment, informing him that I did it at the desire of Mr. Beckley, and, to take off a little of the dryness of the note, I added that I was glad it was to be reprinted here, and that something was to be publicly said against the political heresies which had sprung up among us, etc. I thought so little of this note, that I did not even keep a copy of it; nor ever heard a tittle more of it, till, the week following, I was thunderstruck with seeing it come out at the head of the pamphlet. I hoped, however, it would not attract notice. But I found, on my return from a journey of a month, that a writer came forward, under the signature of Publicola, attacking not only the author and principles of the pamphlet, but myself as its sponsor, by name. Soon after came hosts of other writers, defending the pamphlet, and attacking you, by name, as the writer of Publicola. Thus were our names thrown on the public stage as public antagonists. That you and I differ in our ideas of the best form of government, is well known to us both; but we have differed as friends should do, respecting the purity of each other's motives, and confining our difference of opinion to private conversation. And I can declare with truth, in the presence of the Almighty, that nothing was further from my intention or expectation than to have either my own or your name brought before the public on this occasion. The friendship and confidence which has so long existed between us, required this explanation from me, and I know you too well to fear any miscon-

Digitized by Google

struction of the motives of it. Some people here, who would wish me to be, or to be thought, guilty of improprieties, have suggested that I was Agricola, that I was Brutus, etc., etc. I never did in my life, either by myself or by any other, have a sentence of mine inserted in a newspaper without putting my name to it; and I believe I never shall.

While the Empress is refusing peace under a mediation, unless Ocrakow and its territory be ceded to her, she is offering peace on the perfect statu quo to the Porte, if they will conclude it without a mediation. France has struck a severe blow at our navigation, by a difference of duty on tobacco carried in our and their ships, and by taking from foreign-built ships the capability of naturalization. She has placed our whale oil on rather a better footing than ever, by consolidating the duties into a single one of six livres. They amounted before to some sous over that sum. I am told (I know not how truly), that England has prohibited our spermaceti oil altogether, and will prohibit our wheat till the price there is fifty-two shillings the quarter, which it almost never is. We expect hourly to hear the true event of General Scott's expedition. Reports give favorable hopes of it. Be so good as to present my respectful compliments to Mrs. Adams, and to accept assurances of the sentiments of sincere esteem and respect with which I am, dear Sir, your friend and servant.

Digitized by Google

TO GOUVERNEUR MORRIS.

PHILADELPHIA, July 26, 1791.

DEAR SIR,—Your favors of February the 26th, and March the 16th, have been duly received. The conferences which you held last with the British minister needed no apology. At the time of writing my letter desiring that communications with them might cease, it was supposed possible that some might take place before it would be received. They proved to be such as not to vary the opinion formed, and, indeed, the result of the whole is what was to have been expected from known circumstances. Yet the essay was perhaps necessary to justify, as well as induce, the measures proper for the protection of our commerce. The first remittance of a thousand dollars to you, was made without the aid of any facts which could enable the government to judge, what sum might be an indemnification for the interference of the business referred to you, with your private pursuits. Your letter of February the 26th furnishing grounds for correcting the first judgment, I now enclose you a bill on our bankers in Holland for another sum of a thousand dollars. In the original remittance, as in this supplement to it, there has been no view but to do what is right between the public and those who serve them.

Though no authentic account is yet received, we learn through private channels that General Scott has returned from a successful expedition against the

Digitized by Google

Indians; having killed about thirty warriors, taken fifty odd women and children prisoners, and destroyed two or three villages, without the loss of a man, except three, drowned by accident. A similar expedition was to follow immediately after the first, while preparations are making for measures of more permanent effect; so that we hope this summer to bring the Indians to accept of a just and general peace, on which nothing will be asked of them but their peace.

The crops of wheat in the United States are rather abundant, and the quality good. Those of tobacco are not promising as yet. I have heard nothing of the rice crops.

I am, with very great esteem, dear Sir, your most obedient, and most humble servant.

TO WILLIAM SHORT.

PHILADELPHIA, July 28, 1791.

DEAR SIR,—Since my last I have received letters from you as follows:

* * * * * * * *

Mine to you, unacknowledged, were of March the 8th, 12th, 15th, 19th, April the 25th, and May the 10th. Your two last letters mention the length of time you have been without intelligence, having then received mine of January the 23d only. You will perceive by the above, that six letters of a later date were on their way to you. The receipt of these, with

Digitized by Google

the newspapers, journals, laws, and other printed papers accompanying them, will have relieved your anxiety, by answering several articles of your former letters, and opening to you some new and important matters. I scarcely ever miss the opportunity of a private vessel going from hence or New York to any port of France, without writing to you and sending you the newspapers, etc. In the winter, occasions are very rare, this port, particularly, being blocked up with ice. The reason of so long an interval between the last and present letter, has been the journey of a month, which that informed you I was about to take. This is the first vessel which has offered since my return; she is bound to Havre, and will carry the newspapers as usual.

The difference of sixty-two livres ten sols the hogshead, established by the National Assembly on tobacco brought in their and our ships, is such an act of hostility against our navigation, as was not to have been expected from the friendship of that nation. It is as new in its nature as extravagant in its degree; since it is unexampled, that any nation has endeavored to wrest from another the carriage of its own produce, except in the case of their colonies. The British navigation act, so much and so justly complained of, leaves to all nations the carriage of their own commodities free. This measure, too, is calculated expressly to take our own carriage from us and give the equivalent to other nations: for it is well known, that the shipping of France is not equal

Digitized by Google

to the carriage of their whole commerce; but the freight in other branches of navigation being on an equal footing with only forty livres the hogshead, in ours, and this new arrangement giving them sixty-two livres ten sols the hogshead, in addition to their freight, that is to say, one hundred and two livres ten sols, instead of forty livres, their vessels will leave every other branch of business to fill up this. They will consequently leave a void in those other branches. which will be occupied by English, Dutch, and Swedes, on the spot. They complain of our tonnage duty; but it is because it is not understood. In the ports of France, we pay fees for anchorage, buoys and beacons, fees to measurers, weighers, and gaugers, and in some countries, for light-houses. We have thought it better that the public here should pay all these, and reimburse itself by a consolidation of them into one fee, proportioned to the tonnage of the vessel, and therefore called by that name. They complain that the foreign tonnage is higher than the domestic. If this complaint had come from the English, it would not have been wonderful, because the foreign tonnage operates really as a tax on their commerce, which, under this name, is found to pay sixteen dollars and fifty cents for every dollar paid by France. It was not conceived, that the latter would have complained of a measure calculated to operate so unequally on her rival, and I still suppose she would not complain, if the thing were well understood. The refusing to our vessels the faculty of

Digitized by Google

becoming national bottoms, on sale to their citizens, was never before done by any nation but England. I cannot help hoping that these were wanderings of a moment, founded in misinformation, which reflection will have corrected before you receive this.

Whenever jealousies are expressed as to any supposed views of ours, on the dominion of the West Indies, you cannot go farther than the truth, in asserting we have none. If there be one principle more deeply rooted than any other in the mind of every American, it is, that we should have nothing to do with conquest. As to commerce, indeed, we have strong sensations. In casting our eyes over the earth, we see no instance of a nation forbidden, as we are, by foreign powers, to deal with neighbors, and obliged, with them, to carry into another hemisphere, the mutual supplies necessary to relieve mutual wants. This is not merely a question between the foreign power and our neighbor. We are interested in it equally with the latter, and nothing but moderation, at least with respect to us, can render us indifferent to its continuance. An exchange of surplusses and wants between neighbor nations, is both a right and a duty under the moral law, and measures against right should be mollified in their exercise, if it be wished to lengthen them to the greatest term possible. Circumstances sometimes require, that rights the most unquestionable should be advanced with delicacy. It would seem that the one now spoken of, would need only a men-

Digitized by Google

tion, to be assented to by any unprejudiced mind: but with respect to America, Europeans in general, have been too long in the habit of confounding force with right. The Marquis de La Fayette stands in such a relation between the two countries, that I should think him perfectly capable of seeing what is just as to both. Perhaps on some occasion of free conversation, you might find an opportunity of impressing these truths on his mind, and that from him, they might be let out at a proper moment as matters meriting consideration and weight, when they shall be engaged in the work of forming a constitution for our neighbors. In policy, if not in justice, they should be disposed to avoid oppression, which, falling on us, as well as on their colonies, might tempt us to act together.[1]

The element of measure adopted by the National Assembly excludes, *ipso facto*, every nation on earth from a communion of measure with them; for they acknowledge themselves, that a due portion for admeasurement of a meridian crossing the forty-fifth degree of latitude, and terminating at both ends in the same level, can be found in no other country on earth but theirs. It would follow then, that other nations must trust to their admeasurement, or send persons into their country to make it themselves, not only in the first instance, but whenever afterwards they may wish to verify their measures. In-

[1] This paragraph was in cypher, but an explication of it preserved with the copy.

Digitized by Google

stead of concurring, then, in a measure which, like the pendulum, may be found in every point of the forty-fifth degree, and through both hemispheres, and consequently in all the countries of the earth lying under that parallel, either northern or southern, they adopt one which can be found but in a single point of the northern parallel, and consequently only in one country, and that country is theirs.

I left with you a statement of the case of Schweighauser and Dobrée, with the original vouchers on which it depends. From these you will have known, that being authorized by Congress to settle this matter, I began by offering to them an arbitration before honest and judicious men of a neutral nation. They declined this, and had the modesty to propose an arbitration before *merchants of their own town*. I gave them warning then, that as the offer on the part of a sovereign nation to submit to a private arbitration was an unusual condescendence, if they did not accept it then, it would not be repeated, and that the United States would judge the case for themselves hereafter. They continued to decline it, and the case now stands thus. The territorial judge of France has undertaken to call the United States to his jurisdiction, and has arrested their property, in order to enforce appearance, and possess himself of a matter whereon to found a decree; but no court can have jurisdiction over a sovereign nation. This position was agreed to; but it was urged, that some act of Mr. Barclay's had admitted the jurisdiction,

Digitized by Google

It was denied that there had been any such act by Mr. Barclay, and disavowed, if there was one, as without authority from the United States, the property on which the arrest was made, having been purchased by Dr. Franklin, and remaining in his possession till taken out of it by the arrest. On this disavowal, it was agreed that there could be no further contest, and I received assurance that the property should be withdrawn from the possession of the court by an evocation of the cause before the King's Council, on which, without other proceedings, it should be delivered to the United States. Applications were repeated as often as dignity or even decency would permit; but it was never done. Thus the matter rests, and thus it is meant it should rest. No answer of any kind is to be given to Schweighauser and Dobrée. If they think proper to apply to their sovereign, I presume there will be a communication either through you or their representative here, and we shall have no difficulty to show the character of the treatment we have experienced.

I will observe for your information, that the sustenance of our captives at Algiers is committed to Colonel Humphreys.

You will be so kind as to remember, that your public account from the 1st day of July, 1790, to the last of June, 1791, inclusive, is desired before the meeting of Congress, that I may be able to lay before them the general account of the foreign fund for that year.

Digitized by Google

General Scott has returned from a successful expedition against the northern Indians, having killed thirty-two warriors, taken fifty-eight women and children prisoners, and destroyed three towns and villages, with a great deal of corn in grain and growth. A similar expedition was to follow immediately, while preparation is making for measures of more permanent effect; so that we may reasonably hope the Indians will be induced to accept of peace which is all we desire.

Our funds have risen nearly to par. The eight millions for the bank was subscribed as fast as it could be written, and that stock is now above par. Our crops of wheat have been rather abundant, and of excellent quality. Those of tobacco are not very promising as yet. The census is not yet completed, but from what we hear, we may expect our whole numbers will be nearer four than three millions. I enclose a sketch of the numbers as far as we yet know them.

I am, with great and sincere esteem, dear Sir, your sincere friend and servant.

TO THOMAS PAINE.

PHILADELPHIA, July 29, 1791.

DEAR SIR,—Your favor of Sept. 28th, 1790, did not come to my hands till Feb. 11th, and I have not answered it sooner because it said you would be here in the spring. That expectation being past, I now

Digitized by Google

acknowledge the receipt. Indeed I am glad you did not come away till you had written your "Rights of Man." That has been much read here with avidity and pleasure. A writer under the signature of Publicola has attacked it. A host of champions entered the arena immediately in your defence. The discussion excited the public attention, recalled it to the "Defence of the American constitutions" and the "Discourses on Davila," which it had kindly passed over without censure in the moment, and very general expressions of their sense have been now drawn forth; and I thank God that they appear firm in their republicanism, notwithstanding the contrary hopes and assertions of a sect here, high in name but small in numbers. These had flattered themselves that the silence of the people under the "Defence" and "Davila" was a symptom of their conversion to the doctrine of king, lords, and commons. They are checked at least by your pamphlet, and the people confirmed in their good old faith.

Your observations on the subject of a copper coinage has satisfied my mind on that subject, which I confess had wavered before between difficulties. As a different plan is under consideration of Congress, and will be taken up at their meeting, I think to watch the proper moment, and publish your observations (except the notes which contain facts relative to particular persons, which I presume you would dislike to see published, and which are not necessary to establish the main object), adding your name,

Digitized by Google

because it will attract attention and give weight to the publication. As this cannot take place under four months, there is time for you to forbid me, if it should be disagreeable to you to have the observations published, which, however, I hope it will not be.

General Scott has just returned from a successful expedition against the Indians, having killed thirty-two warriors, and taken fifty-eight women and children, and burnt several towns. I hope they will now consent to peace, which is all we ask. Our funds are near par; the crops of wheat remarkably fine; and a great degree of general prosperity arising from four years successive of plentiful crops, a great diffusion of domestic manufacture, a return to economy, and a reasonable faith in the new government. I shall be happy to hear from you, and still more to see you, being with great, and sincere esteem, dear Sir, your friend and servant.

TO THE PRESIDENT OF THE UNITED STATES.

PHILADELPHIA, July 30, 1791.

SIR,—I have the honor to enclose for your perusal, a letter which I have prepared for Mr. Short.

The ill humor into which the French colonies are getting, and the little dependence on the troops sent thither, may produce a hesitation in the National Assembly as to the conditions they will impose in their constitution. In a moment of hesitation, small matters may influence their decision. They may see

Digitized by Google

the impolicy of insisting on particular conditions, which, operating as grievances on us, as well as on their colonists, might produce a concert of action. I have thought it would not be amiss to trust to Mr. Short the sentiments in the cyphered part of the letter, leaving him to govern himself by circumstances, whether to let them leak out at all or not, and whether so as that it may be known or remain unknown that they come from us. A perfect knowledge of his judgment and discretion leaves me entirely satisfied, that they will be not used, or so used as events shall render proper. But if you think that the possibility that harm may be done, overweighs the chance of good, I would expunge them, as, in cases of doubt, it is better to say too little than too much.

I have the honor to be, with the most perfect respect and attachment, Sir, your most obedient, and most humble servant.

TO GENERAL KNOX.

PHILADELPHIA, August 10, 1791.

DEAR SIR,—I have now the honor to return you the petition of Mr. Moultrie on behalf of the South Carolina Yazoo company. Without noticing that some of the highest functions of sovereignty are assumed in the very papers which he annexes as his justification, I am of opinion that government should firmly maintain this ground; that the Indians have

Digitized by Google

a right to the occupation of their lands, independent of the States within whose chartered lines they happen to be; that until they cede them by treaty or other transaction equivalent to a treaty, no act of a State can give a right to such lands; that neither under the present constitution, nor the ancient confederation, had any State or person a right to treat with the Indians, without the consent of the General Government; that that consent has never been given to any treaty for the cession of the lands in question; that the government is determined to exert all its energy for the patronage and protection of the rights of the Indians, and the preservation of peace between the United States and them; and that if any settlements are made on lands not ceded by them, *without the previous consent of the United States*, the government will think itself bound, not only to declare to the Indians that such settlements are without the authority or protection of the United States, but to remove them also by the public force.

It is in compliance with your request, my dear Sir, that I submit these ideas to you, to whom it belongs to give place to them, or such others as your better judgment shall prefer, in answer to Mr. Moultrie.

I have the honor to be, with sentiments of the most sincere and respectful esteem, dear Sir, your most obedient, and most humble servant.

Digitized by Google

TO COLONEL HARVIE.

PHILADELPHIA, August 14, 1791.

DEAR SIR,—Being charged with the preparation of a statement to Congress of all their lands north of the Ohio, it becomes necessary for me to know what quantity of lands was assigned to the Virginia Continental line on the south side of the Ohio, say on the Cumberland, in satisfaction of their claims of bounty lands against the Continent. If I can by any means come at this quantity, by deducting it from the sum total of bounty lands given to all the lines, which sum total I know, the residue will be exactly what the army is entitled to on the north side of the Ohio. I am in hopes your office can furnish me with this information, and am to ask the favor of you to have it inquired into. All I wish is the *sum total* in lots located by the Virginia *Continental line* south of the Ohio. I suppose your office cannot inform me what was located for the same line north of the Ohio, and therefore I do not ask it. The fees of office for these researches, be so good as to inform me of, and they shall be remitted you. As your answer cannot be here before my departure for Virginia, I shall be glad to receive it there. If your office cannot furnish the information, and you know where it may be obtained, I shall consider it as a singular favor, if you will be so good as to put it for me at once into its right channel. I am, with great esteem, dear Sir, your sincere friend and humble servant.

Digitized by Google

TO WILLIAM CARMICHAEL.

PHILADELPHIA, August 24, 1791.

SIR,—Your letter of January 24, is still the only one received from you within the period so often mentioned. Mine to you of the present year have been of March 12 and 17, April 11, May 16, and June 23. I have lately preferred sending my letters for you to Colonel Humphreys, in hopes he might find means of conveying them to you. The subjects of those of the 12th and 17th of March are still pressed on you, and especially the first, the great object of which cannot be delayed without consequences which both nations should deprecate.

Mr. Iandenes arrived here some time ago, and has been received as joint commissioner with Mr. Viar. The concurring interests of Spain and this country certainly require the presence of able and discreet ministers.

The crop of wheat of the present year has surpassed all expectation as to quantity, and is of fine quality. Other articles of agriculture will differ more by an extraordinary drought.

I enclose you a copy of our census, which, so far as it is written in black ink, is founded on actual returns, what is in red ink being conjectured, but very near the truth. Making very small allowance for omissions, which we know to have been very great, we may safely say we are above four millions.

Digitized by Google

Our first expedition against the Indians, under General Scott, has been completely successful; he having killed thirty odd, taken fifty odd, and burnt their towns. A second expedition against them has commenced, and we expect daily the result.

The public credit continues firm. The domestic debt funded at six per cent., is twelve and a half per cent. above par. A spirit, however, of gambling in our public paper has seized on too many of our citizens, and we fear it will check our commerce, arts, manufactures, and agriculture, unless stopped.

Newspapers for you accompany this, addressed to the care of Colonel Humphreys.

I am, with great esteem, Sir, your most obedient, and most humble servant.

TO SIR JOHN SINCLAIR.

PHILADELPHIA, August 24, 1791.

DEAR SIR,—I am to acknowledge the receipt of your two favors of December 25 and May 14, with the pamphlets which accompanied them, and to return you my thanks for them. The Corn Law, I perceive, has not passed in the form you expected. My wishes on that subject were nearer yours than you imagined. We both in fact desired the same thing for different reasons, respecting the interests of our respective countries, and therefore justifiable in both. You wished the bill so moulded as to encourage strongly your national agriculture. The

Digitized by Google

clause for warehousing foreign corn tended to lessen the confidence of the farmer in the demand for his corn. I wished the clause omitted, that our corn might pass directly to the country of the consumer, and save us the loss of an intermediate deposit, which it can illy bear. That no commercial arrangements between Great Britain and the United States have taken place, as you wish should be done, cannot be imputed to us. The proposition has surely been often enough made, perhaps too often. It is a happy circumstance in human affairs, that evils which are not cured in one way will cure themselves in some other.

We are now under the first impression of the news of the King's flight from Paris, and his re-capture. It would be unfortunate were it in the power of any one man to defeat the issue of so beautiful a revolution. I hope and trust it is not, and that, for the good of suffering humanity all over the earth, that revolution will be established and spread through the whole world.

I shall always be happy, my dear Sir, to hear of your health and happiness, being with sentiments of the most cordial esteem and respect, dear Sir, your most obedient humble servant.

Digitized by Google

TO EDWARD RUTLEDGE, ESQ.

PHILADELPHIA, August 25, 1791.

MY DEAR SIR,—I have received your favor of the 7th, by Mr. Harper, and that also by Mr. Butler. I thank you for both, and shall duly respect both. I find by the last that, not your letter on the subject of British commerce, but mine in answer to it, has miscarried. Yours was dated June 20, 1790, was received July 2, and answered July 4. I send you a copy of the answer, which will read now like an old almanac; but it will show you I am incapable of neglecting anything which comes from you. The measures therein spoken of as in contemplation, for the purpose of bringing Great Britain to reason, vanished in a reference of the subject to me to report on our commerce and navigation generally, to the next session of Congress. I have little hope that the result will be anything more than to turn the left cheek to him who has smitten the right. We have to encounter not only the prejudices in favor of England, but those against the Eastern States, whose ships, in the opinion of some, will overrun our land. I have been sorry to see that your State has been over-jealous of the measures proposed on this subject, and which really tend to relieve them from the effects of British broils. I wish you may be able to convert Mr. Barnwell, because you think him worth converting. Whether you do or not, your opinion of him will make me solicitous for his

Digitized by Google

acquaintance, because I love the good, and respect freedom of opinion. What do you think of this scrippomony? Ships are lying idle at the wharfs, buildings are stopped, capitals withdrawn from commerce, manufactures, arts, and agriculture to be employed in gambling, and the tide of public prosperity almost unparalleled in any country is arrested in its course, and suppressed by the rage of getting rich in a day. No mortal can tell where this will stop; for the spirit of gaming, when once it has seized a subject, is incurable. The tailor who has made thousands in one day, though he has lost them the next, can never again be content with the slow and moderate earnings of his needle. Nothing can exceed the public felicity, if our papers are to be believed, because our papers are under the orders of our scripmen. I imagine, however, we shall hear that all the cash has quitted the extremities of the nation, and accumulated here. That produce and property fall to half price there, and the same things rise to double price here. That the cash accumulated and stagnated here, as soon as the bank paper gets out, will find its vent into foreign countries, and instead of this solid medium, which we might have kept for nothing, we shall have a paper one, for the use of which we are to pay these gamesters fifteen per cent. per annum, as they say.

Would to God yourself, General Pinckney and Major Pinckney, would come forward and aid us

Digitized by Google

with your efforts. You are all known, respected, wished for; but you refuse yourselves to everything. What is to become of us, my dear friend, if the vine and the fig tree withdraw, and leave us to the bramble and thorn?

You will have heard before this reaches you, of the peril into which the French revolution is brought by the flight of their King. Such are the fruits of that form of government, which heaps importance on idiots, and of which the Tories of the present day are trying to preach into our favor. I still hope the French revolution will issue happily. I feel that the permanence of our own, leans in some degree on that; and that a failure there would be a powerful argument to prove there must be a failure here. We have been told that a British minister would be sent out to us this summer. I suspect this depends on the event of peace or war. In the latter case, they will probably send one; but they have no serious view of treating or fulfilling treaties. Adieu, my dear Sir. Yours affectionately.

TO MESSRS. JOHNSON, STUART, AND CARROLL.

PHILADELPHIA, August 28, 1791.

GENTLEMEN,—Your joint letter of the 2d instant to the President, as also Mr. Carroll's separate letters of the 5th and 15th, have been duly received. Major L'Enfant also having arrived here and laid his plan

Digitized by Google

of the Federal City before the President, he was pleased to desire a conference of certain persons, in his presence, on these several subjects. It is the opinion of the President, in consequence thereof, that an immediate meeting of the Commissioners at Georgetown is requisite; that certain measures may be decided on, and put into a course of preparation for a commencement of sale on the 17th of October, as advertised. As Mr. Madison and myself, who were present at the conference, propose to pass through Georgetown on our way to Virginia, the President supposes that our attendance at the meeting of the Commissioners might be of service to them, as we could communicate to them the sentiments developed at the conferences here and approved by the President, under whatever point of view they may have occasion to know them. The circumstances of time and distance oblige me to take the liberty of proposing the day of meeting, and to say that we will be in Georgetown on the evening of the 7th or morning of the 8th of the next month, in time to attend any meeting of the Commissioners on that day, and in hopes they may be able, in the course of it, to make all the use of us they may think proper, so that we may pursue our journey the next day. To that meeting, therefore, the answers to the several letters before mentioned are referred.

This letter is addressed to Mr. Carroll only, with a requisition to the Postmaster at Georgetown to

Digitized by Google

send it to him by express, under the hope that it will, by expresses to the other gentlemen, take timely measures for the proposed meeting on the 8th.

I have the honor to be, with sentiments of the highest respect and esteem, Gentlemen, your most obedient, and most humble servant.

TO WILLIAM SHORT.

PHILADELPHIA, August 29, 1791.

DEAR SIR,—I am to acknowledge the receipt of your No. 67, June the 6th, No. 68, June the 10th, No. 69, June the 22d, No. 70, June the 26th, No. 71, June the 29th; the three last by the British packet. My last to you was of July the 28th, by a vessel bound to Havre. This goes to the same port, because accompanied by newspapers. It will be the last I shall write you these two months, as I am to set out for Virginia the next week. I now enclose you a copy of my letter of March the 12th, to Mr. Carmichael, which you say was not in that of the same date to you. There was no paper to accompany it but St. Marie's which you say you received. I enclose you also a copy of our census, written in black ink, so far as we have actual returns, and supplied by conjecture in red ink, where we have no returns; but the conjectures are known to be very near the truth. Making very small allowance for omissions, which we know to have been very great, we are certainly above four millions, probably about four millions one hundred thousand.

Digitized by Google

There is a vessel now lying at Philadelphia, advertising to receive emigrants to Louisiana, gratis, on account of the Spanish government. Be so good as to mention this to M. de Montmorin, who will be a judge what we must feel under so impudent a transaction.

You observe, that if Drost does not come, you have not been authorized to engage another coiner. If he does not come, there will probably be one engaged here. If he comes, I should think him a safe hand to send the diplomatic dye by, as also all the dyes of our medal, which may be used here for striking off what shall be wanting hereafter. But I would not have them trusted at sea, but from April to October inclusive. Should you not send them by Drost, Havre will be the best route. I have not spoken with the Secretary of the Treasury yet, on the subject of the presses, but believe you may safely consider two presses as sufficient for us, and agree for no more without a further request.

The decree of the National Assembly, relative to tobacco carried in French or American ships, is likely to have such an effect in our ports, as to render it impossible to conjecture what may or may not be done. It is impossible to let it go on without a vigorous correction. If that should be administered on our part, it will produce irritation on both sides, and lessen that disposition which we feel cordially to concur in a treaty, which shall melt the two nations as to commercial matters into one, as nearly

Digitized by Google

as possible. It is extremely desirable, that the National Assembly should themselves correct the decree, by a repeal founded on the expectation of an arrangement.

We have, as yet, no news of the event of our second expedition against the Indians.

I am, with great and sincere esteem, dear Sir, your friend and servant.

TO MONSIEUR LA MOTTE.

PHILADELPHIA, August 30, 1791.

SIR,—I am now to acknowledge the receipt of your favors of February the 9th, March the 25th, and April the 24th; as also of the several packages of wine, carriages, etc., which came safe to hand, and for your care of which be pleased to accept my thanks.

I am sensible of the difficulties to which our consuls are exposed by the applications of sailors, calling themselves Americans. Though the difference of dialect between the Irish and Scotch, and the Americans, is sensible to the ear of a native, it is not to that of a foreigner, however well he understands the language; and between the American and English (unless of particular provinces) there is no difference sensible even to a native. Among hundreds of applications to me, at Paris, nine-tenths were Irish, whom I readily discovered. The residue, I think, were English; and I believe not a single

Digitized by Google

instance of a Scotchman or American. The sobriety and order of the two last, preserve them from want. You will find it necessary, therefore, to be extremely on your guard against these applications. The bill of expenses for Huls is much beyond those aids which I should think myself authorized to have advanced habitually, until the law shall make express provision for that purpose. I must, therefore, recommend to you, to hazard only small sums in future, until our legislature shall lay down more precise rules for my government.

The difference of duty on tobacco carried to France in French and American bottoms, has excited great uneasiness. We presume the National Assembly must have been hurried into the measure, without being allowed time to reflect on its consequences. A moment's consideration must convince anybody, that no nation upon earth ever submitted to so enormous an assault on the transportation of their own produce. Retaliation, to be equal, will have the air of extreme severity and hostility. Such would be an *additional tonnage* of twelve livres ten sous the ton burthen, on all *French* ships entering our ports. Yet this would but exactly balance an *additional duty* of six livres five sous the hogshead of tobacco, brought in *American ships* entering in the ports of France. I hope, either that the National Assembly will repeal the measure, or the proposed treaty be so hastened, as to get this matter out of the way before it shall be necessary for the ensuing

Digitized by Google

legislature to act on it. Their measure, and our retaliation on it, which is unavoidable, will very illy prepare the minds of both parties for a liberal treaty. My confidence in the friendly dispositions of the National Assembly, and in the sincerity of what they have expressed on the subject, induce me to impute it to surprise altogether, and to hope it will be repealed before time shall be given to take it up here.

I have the honor to be, with great esteem, Sir, your most obedient humble servant.

TO GOUVERNEUR MORRIS.

PHILADELPHIA, August 30, 1791.

DEAR SIR,—My letter of July the 26th covered my first of exchange for a thousand dollars, and though that went by so sure an opportunity as to leave little doubt of its receipt, yet, for greater security, I enclose a second.

The tranquillity of our country leaves us nothing to relate, which may interest a mind surrounded by such buoyant scenes as yours. No matter; I will still tell you the charming though homespun news, that our crops of wheat have been abundant and of superior quality; that very great though partial drought has destroyed the crops of hay to the north, and corn to the south; that the late rains may recover the tobacco to a middling crop, and that the fields of rice are promising.

Digitized by Google

I informed you in my last, of the success of our first expedition against the Indians. A second has gone against them, the result of which is not yet known. Our public credit is good, but the abundance of paper has produced a spirit of gambling in the funds, which has laid up our ships at the wharves, as too slow instruments of profit, and has even disarmed the hand of the tailor of his needle and thimble. They say the evil will cure itself. I wish it may; but I have rarely seen a gamester cured, even by the disasters of his vocation. Some new indications of the ideas with which the British cabinet are coming into treaty, confirm your opinions, which I know to be right, but the Anglomany of some would not permit them to accede to.

Adieu, my dear Sir. Your affectionate humble servant.

TO BENJAMIN BANNEKER.

PHILADELPHIA, August 30, 1791.

SIR,—I thank you sincerely for your letter of the 19th instant, and for the Almanac it contained. Nobody wishes more than I do to see such proofs as you exhibit, that nature has given to our black brethren, talents equal to those of the other colors of men, and that the appearance of a want of them is owing merely to the degraded condition of their existence, both in Africa and America. I can add

Digitized by Google

with truth, that nobody wishes more ardently to see a good system commenced for raising the condition both of their body and mind to what it ought to be, as fast as the imbecility of their present existence, and other circumstances which cannot be neglected, will admit. I have taken the liberty of sending your Almanac to Monsieur de Condorcet, Secretary of the Academy of Sciences at Paris, and member of the Philanthropic Society, because I considered it as a document to which your color had a right for their justification against the doubts which have been entertained of them. I am, with great esteem, Sir, your most obedient humble servant.

TO JOHN ADAMS.

PHILADELPHIA, August 30, 1791.

MY DEAR SIR,—I received some time ago your favor of July 29, and was happy to find that you saw in its true point of view the way in which I had been drawn into the scene, which must have been so disagreeable to you. The importance which you still seem to allow to my note, and the effect you suppose it to have had, though unintentional in me, induces me to show you that it really had no effect. Paine's pamphlet, with my note, was published here about the second week in May. Not a word ever appeared in the public papers here on the subject for more than a month; and I am certain

Digitized by Google

not a word on the subject would ever have been said, had not a writer, under the name of Publicola, at length undertaken to attack Mr. Paine's principles, which were the principles of the citizens of the United States. Instantly a host of writers attacked Publicola in support of those principles. He had thought proper to misconstrue a figurative expression in my note; and these writers so far noticed me as to place the expression in its true light. But this was only an incidental skirmish preliminary to the general engagement, and they would not have thought me worth naming, had not he thought proper to bring me on the scene. His antagonists, very criminally, in my opinion, presumed you to be Publicola, and on that presumption hazarded a personal attack on you. No person saw with more uneasiness than I did, this unjustifiable assault; and the more so, when I saw it continued after the printer had declared you were not the author. But you will perceive from all this, my dear Sir, that my note contributed nothing to the production of these disagreeable pieces. As long as Paine's pamphlet stood on its own feet and on my note, it was unnoticed. As soon as Publicola attacked Paine, swarms appeared in his defence. To Publicola, then, and not in the least degree to my note, this whole contest is to be ascribed and all its consequences.

You speak of the execrable paragraph in the Connecticut papers. This, it is true, appeared before

Digitized by Google

Publicola; but it had no more relation to Paine's pamphlet and my note, than to the Alcoran. I am satisfied the writer of it had never seen either; for when I passed through Connecticut about the middle of June, not a copy had ever been seen by anybody, either in Hartford or New Haven, nor probably in that whole State; and that paragraph was so notoriously the reverse of the disinterestedness of character which you are known to possess by everybody who knows your name, that I never heard a person speak of the paragraph, but with an indignation in your behalf which did you entire justice. This paragraph, then, certainly did not flow from my note, any more than the publications which Publicola produced. Indeed it was impossible that my note should occasion your name to be brought into question; for so far from naming you, I had not even in view any writing which I might suppose to be yours, and the opinions I alluded to were principally those I had heard in common conversation from a sect aiming at the subversion of the present government to bring in their favorite form of a king, lords and commons.

Thus I hope, my dear Sir, that you will see me to have been as ignorant *in effect* as I was in intention. I was brought before the public without my own consent, and from the first moment of seeing the effect of the real aggression in this business to keep me before the public, I determined that nothing should induce me to put pen to paper in the contro-

Digitized by Google

versy. The business is now over, and I hope its effects are over, and that our friendship will never be suffered to be committed, whatever use others may think proper to make of our names.

The event of the King's flight from Paris and his recapture, will have struck you with its importance. It appears, I think, that the nation is firm within, and it only remains to see whether there will be any movement from without. I confess I have not changed my confidence in the favorable issue of that revolution, because it has always rested on my own ocular evidence of the unanimity of the nation, and wisdom of the patriotic party in the National Assembly. The last advices render it probable that the Emperor will recommence hostilities against the Porte. It remains to see whether England and Prussia will take a part. Present me to Mrs. Adams with all the affections I feel for her, and be assured of those devoted to yourself by, my dear Sir, your sincere friend and servant.

TO ADMIRAL PAUL JONES.

PHILADELPHIA, August 31, 1791.

DEAR SIR,—I am to acknowledge the receipt of your favor of March 20th, with the several papers it enclosed, which were duly communicated to the President. No proof was necessary to satisfy us here of your good conduct everywhere. In answer to your request to obtain and transmit the proper

Digitized by Google

authority of the United States for your retaining the order of St. Anne, conferred on you by the Empress, I can only say that the Executive of our Government are not authorized either to grant or refuse the permission you ask, and consequently cannot take on themselves to do it. Whether the Legislature would undertake to do it or not, I cannot say. In general, there is an aversion to meddle with anything of that kind here. And the event would be so doubtful that the Executive would not commit themselves by making the proposition to the Legislature.

Our new Constitution works well, and gives general satisfaction. Public credit is high. We have made a successful expedition against the Indians this summer, and another is gone against them, and we hope will induce them to peace. A census of our numbers, taken this summer, gives us reason to believe we are about four millions of all ages and sexes. A state of tranquil prosperity furnishing no particular and interesting events to communicate to you, I have only to add assurances of the constant esteem and attachment of, dear Sir, your most obedient humble servant.

TO MONSIEUR DE TERNANT, MINISTER PLENIPOTENTIARY OF FRANCE.

PHILADELPHIA, September 1, 1791.

SIR,—I have communicated to the President what passed between us the other day, on the subject of

Digitized by Google

the payments made to France by the United States in the *assignats* of that country, since they have lost their par with gold and silver; and after conferences, by his instruction, with the Secretary of the Treasury, I am authorized to assure you, that the Government of the United States have no idea of paying their debt in a depreciated medium, and that in the final liquidation of the payments which shall have been made, due regard will be had to an equitable allowance for the circumstance of depreciation.

I have the honor to be, with sentiments of the most perfect esteem and respect, Sir, your most obedient, and most humble servant.

TO THOMAS NEWTON.

GEORGETOWN, September 8, 1791.

DEAR SIR,—I was in the moment of my departure from Philadelphia, for Virginia, when I received your favor, inquiring how far the law of nations is to govern in proceedings respecting foreign consuls.

The law of nations does not of itself extend to consuls at all. They are not of the diplomatic class of characters, to which alone that law extends of right. Convention, indeed, may give it to them, and sometimes has done so; but in that case, the convention can be produced. In ours with France, it is expressly declared that consuls shall not have the privileges of that law, and we have no convention with any other nation.

Digitized by Google

Congress have had before them a bill on the subject of consuls, but have not as yet passed it. Their code then furnishes no law to govern these cases.

Consequently, *they are to be decided by the State laws alone.* Some of these, I know, have given certain privileges to consuls; and I think those of Virginia did at one time. Of the extent and continuance of those laws, you are a better judge than I am.

Independently of law, consuls are to be considered as distinguished foreigners, dignified by a commission from their sovereign, and specially recommended by him to the respect of the nation with whom they reside. They are subject to the laws of the land, indeed, precisely as other foreigners are, a convention, where there is one, making a part of the laws of the land: but if at any time, their conduct should render it necessary to assert the authority of the laws over them, the rigor of those laws should be tempered by our respect for their sovereign, as far as the case will admit. This moderate and respectful treatment towards foreign consuls, it is my duty to recommend and press on our citizens, because I ask it for their good towards our own consuls, from the people with whom they reside.

In what I have said, I beg leave to be understood as laying down general principles only, and not as applying them to the facts which may have arisen. Before such application, those facts should be heard from all whom they interest. You, who have so

Digitized by Google

heard them, will be able to make the application yourself, and that, not only in the present, but in future cases.

I have the honor to be, with great esteem, your most obedient humble servant.

TO GEORGE HAMMOND

October 26, 1791.

Mr. Jefferson has the honor of presenting his compliments to Mr. Hammond, of expressing his regrets that he happened to be from home when Mr. Hammond did him the honor of calling on him, and was equally unlucky in not finding him at home when he waited on him on Monday. Being informed by Mr. Bond, that Mr. Hammond is charged with a public mission to the government of the United States, relative to which some previous explanations might be proper, Mr. Jefferson has the honor to assure Mr. Hammond, he shall be ready to receive any communications and enter into explanations, formally or informally, as Mr. Hammond shall either choose, and at any time suitable to him. He recollects with pleasure his acquaintance with Mr. Hammond in Paris, and shall be happy in every opportunity of rendering him such offices and attentions as may be acceptable to him.

Digitized by Google

TO JAMES MADISON.

November 1, 1791.

In my report on Howe's case, where I state that it should go to the President, it will become a question with the House whether they shall refer it to the President themselves, or give it back to the petitioner, and let him so address it, as he ought to have done at first. I think the latter proper, 1, because it is a case belonging purely to the Executive; 2, the legislature should never show itself in a matter with a foreign nation, but where the case is very serious and they mean to commit the nation on its issue; 3, because if they indulge individuals in handing through the legislature their applications to the Executive, all applicants will be glad to avail themselves of the weight of so powerful a solicitor. Similar attempts have been repeatedly made by individuals to get the President to hand in their petitions to the legislature, which he has constantly refused. It seems proper that every person should address himself directly to the department to which the Constitution has allotted his case; and that the proper answer to such from any other department is, "that it is not to us that the Constitution has assigned the transaction of this business." I suggest these things to you, that they may appear to you to be right this kind of business may in the first instance be turned into its proper channel.

Digitized by Google

TO THE PRESIDENT OF THE UNITED STATES.

November 6, 1791.

SIR,—I have the honor to enclose you the draught of a letter to Governor Pinckney, and to observe, that I suppose it to be proper that there should, on fit occasions, be a direct correspondence between the President of the United States and the Governors of the States; and that it will probably be grateful to them to receive from the President, answers to the letters they address to him. The correspondence with them on ordinary business, may still be kept up by the Secretary of State, in his own name.

I enclose also a letter to Major Pinckney, with a blank to be filled up, when you shall have made up your mind on it. I have conferred with Mr. M. on the idea of the commissioners of the federal town proceeding to make private sales of the lots, and he thinks it advisable. I cannot but repeat, that if the surveyors will begin on the river, laying off the lots from Rock Creek to the Eastern Branch, and go on abreast, in that way, from the river towards the back part of the town, they may pass the avenue from the President's house to the capitol, before the spring; and as soon as they shall have passed it, a public sale may take place, without injustice to either the Georgetown or Carrollsburg interest. Will not the present afford you a proper

Digitized by Google

occasion of assuring the commissioners, that you leave everything respecting L'Enfant to them?

I have the honor to be, with the most sincere respect, Sir, your most obedient humble servant.

TO MAJOR THOMAS PINCKNEY.

PHILADELPHIA, November 6, 1791.

SIR,—The mission of a Minister Plenipotentiary to the court of London being now to take place, the President of the United States is desirous of availing the public of your services in that office. I have it in charge, therefore, from him, to ask whether it will be agreeable that he should nominate you for that purpose to the Senate. We know that higher motives will alone influence your mind in the acceptance of this charge. Yet it is proper, at the same time, to inform you, that as a provision for your expenses in the exercise of it, an outfit of nine thousand dollars is allowed, and an annual salary to the same amount, payable quarterly. On receiving your permission, the necessary orders for these sums, together with your credentials, shall be forwarded to you, and it would be expected that you should proceed on the mission as soon as you can have made those arrangements for your private affairs, which such an absence may render indispensable. Let me only ask the favor of you to give me an immediate answer, and by duplicate, by sea and post, that we may have the benefit of both

Digitized by Google

chances for receiving it as early as possible. Though I have not the honor of a personal acquaintance with you, yet I beg you to be assured, that I feel all that anxiety for your entrance on this important mission, which a thorough conviction of your fitness for it can inspire; and that in its relations with my office, I shall always endeavor to render it as agreeable to you as possible.

I have the honor to be, with sentiments of the highest respect and esteem, Sir, your most obedient humble servant.

TO THE PRESIDENT OF THE UNITED STATES.

PHILADELPHIA, November 7, 1791.

SIR,—I have duly considered the letter you were pleased to refer to me, of the 18th of August, from his Excellency Governor Pinckney to yourself, together with the draught of one proposed to be written by him to the Governor of Florida, claiming the re-delivery of certain fugitives from justice, who have been received in that country. The inconveniences of such a receptacle for debtors and malefactors in the neighborhood of the southern States, are obvious and great, and I wish the remedy were as certain and short as the latter seems to suppose.

The delivery of fugitives from one country to another, as practised by several nations, is in consequence of conventions settled between them, defin-

Digitized by Google

ing precisely the cases wherein such deliveries shall take place. I know that such conventions exist between France and Spain, France and Sardinia, France and Germany, France and the United Netherlands; between the several sovereigns constituting the Germanic body, and, I believe, very generally between co-terminous States on the continent of Europe. England has no such convention with any nation, and their laws have given no power to their executive to surrender fugitives of any description; they are, accordingly, constantly refused, and hence England has been the asylum of the Paolis, the La Mottes, the Calonnes, in short, of the most atrocious offenders as well as the most innocent victims, who have been able to get there.

The laws of the United States, like those of England, receive every fugitive, and no authority has been given to our executives to deliver them up. In the case of Longchamp, a subject of France, a formal demand was made by the minister of France, and was refused. He had, indeed, committed an offence within the United States; but he was not demanded as a criminal but as a subject.

The French Government has shown great anxiety to have such a convention with the United States, as might authorize them to command their subjects coming here; they got a clause in the consular convention signed by Dr. Franklin and the Count de Vergennes, giving their consuls a right to take and send back captains of vessels, mariners and *passen-*

Digitized by Google

gers. Congress saw the extent of the word *passengers*, and refused to ratify the convention; a new one was therefore formed, omitting that word. In fact, however desirable it be that the perpetrators of crimes, acknowledged to be such by all mankind, should be delivered up to punishment, yet it is extremely difficult to draw the line between those and acts rendered criminal by tyrannical laws only; hence the first step always, is a convention defining the cases where a surrender shall take place.

If, then, the United States could not deliver up to Governor Quesada, a fugitive from the laws of his country, we cannot claim as a right the delivery of fugitives from us; and it is worthy consideration, whether the demand proposed to be made in Governor Pinckney's letter, should it be complied with by the other party, might not commit us disagreeably, perhaps dishonorably in event; for I do not think we can take for granted, that the legislature of the United States will establish a convention for the mutual delivery of fugitives; and without a reasonable certainty that they will, I think we ought not to give Governor Quesada any grounds to expect, that in a similar case, we would re-deliver fugitives from his government.

I have the honor to be, with the most profound respect and attachment, Sir, your most obedient, and most humble servant.

Digitized by Google

TO MESSRS. JOHNSON, STEWART AND CARROLL.

PHILADELPHIA, November 21, 1791.

GENTLEMEN.—A Mr. Blodget has a scheme in contemplation for purchasing and *building* a whole street in the new city, and any one of them which you may think best. The magnitude of the proposition occasioned it to be little attended to in the beginning. However, great as it is, it is believed by good judges to be practicable. It may not be amiss, therefore, to be ready for it. The street most desirable to be built up at once, we suppose to be a broad one, (the avenue,) leading from the President's house to the Capitol. To prepare the squares adjoining to that, on both sides, in the first place, can do no harm; because, if Mr. Blodget's scheme does not take effect, still it is a part of a work done, which was to be done; if his scheme takes effect, you will be in readiness for him, which would be desirable. The President, therefore, desires me to suggest to you the beginning at once on that avenue, and when all the squares on that shall be laid off, they may go on laying off the rest of the squares between that and the river, from Georgetown to the eastern branch, according to an idea he has suggested to you in a letter not long since. This, however, is but a suggestion for the good of the undertaking, on which you will decide as you think proper. I have the honor to be, Gentlemen, your most obedient, and most humble servant.

Digitized by Google

TO MR. ELLICOTT.

PHILADELPHIA, November 21, 1791.

DEAR SIR,—It is excessively desirable that an extensive sale of lots in Washington should take place as soon as possible. It has been recommitted to the commissioners to have all the squares adjacent to the avenue from the President's house to the Capitol, on both sides, and from thence to the river, through the whole breadth of the ground between Rock Creek and Eastern Branch, first laid off; the object of the present is to ask your *private* opinion of the earliest time at which this portion of the work can be completed, which I will beg the favor of you to communicate to me by letter. In order that the sale may not be delayed by the engraving, it is hoped that by communicating what is executed from time to time, the engraver may nearly keep pace with you.

I am, with great esteem, dear Sir, your most obedient servant.

TO WILLIAM SHORT.

PHILADELPHIA, November 24, 1791.

DEAR SIR,—My last to you was of August the 29th, acknowledging the receipt of your Nos. 67, 68, 69, 70, 71, and informing you I was about setting out to Virginia, and should not again write to you till my return. Only one vessel has sailed from

Digitized by Google

hence to Havre since my return, and my notice of her departure was so short, that I could not avail myself of it. Your Nos. 72, 73, 74, 75, 78, came here during my absence, and 79, 80, were received October the 28th. The Nos. 76 and 77 seem to be missing.

You mention that Drost wishes the devices of our money to be sent to him, that he may engrave them there. This cannot be done, because not yet decided on. The devices will be fixed by the law which shall establish the mint. M. de Ternant tells me he has no instructions to propose to us the negotiation of a commercial treaty, and that he does not expect any. I wish it were possible to draw that negotiation to this place. In your letter of July the 24th, is the following paragraph: "It is published in the English newspapers, that war is inevitable between the United States and Spain, and that preparations are making for it on both sides. M. de Montmorin asked me how the business stood at present, and seemed somewhat surprised at my telling him, that I knew nothing later than what I had formerly mentioned to him. I have, in more than one instance, experienced the inconvenience of being without information. In this, it is disagreeable, as it may have the appearance with M. de Montmorin, of my having something to conceal from him, which not being the case, it would be wrong that he should be allowed to take up such an idea. I observed, that I did not suppose there

Digitized by Google

was any new circumstance, as you had not informed me of it." Your observation was certainly just. It would be an Augean task for me to go through the London newspapers, and formally contradict all their lies, even those relating to America. On our side, there having been certainly no preparations for war against Spain; nor have I heard of any on their part, but *in the London newspapers.* As to the progress of the negotiation, I know nothing of it but from you; having never had a letter from Mr. Carmichael on the subject. Our best newspapers are sent you from my office with scrupulous exactness, by every vessel sailing to Havre or any other convenient port of France. On these I rely for giving you information of all the facts possessed by the public; and as to those not possessed by them, I think there has been not a single instance of my leaving you uninformed of any of them which related to the matters under your charge. In Freneau's paper of the 21st instant, you will see a small essay on population and emigration, which I think it would be well if the news writers of Paris would translate and insert in their papers. The sentiments are too just not to make impression.

Some proceedings of the assembly of St. Domingo have lately taken place, which it is necessary for me to state to you exactly, that you may be able to do the same to M. de Montmorin. When the insurrection of their negroes assumed a very threatening appearance, the Assembly sent a deputy here

Digitized by Google

to ask assistance of military stores and provisions. He addressed himself to M. de Ternant, who (the President being then in Virginia, as I was also) applied to the Secretaries of the Treasury and War. They furnished one thousand stand of arms, other military stores, and placed forty thousand dollars in the treasury, subject to the order of M. de Ternant, to be laid out in provisions, or otherwise, as he should think best. He sent the arms and other military stores; but the want of provisions did not seem so instantaneous as to render it necessary, in his opinion, to send any at that time. Before the vessel arrived in St. Domingo, the Assembly, further urged by the appearance of danger, sent two deputies more, with larger demands, viz., eight thousand fusils and bayonets, two thousand mousquators, three thousand pistols, three thousand sabres, twenty-four thousand barrels of flour, four hundred thousand livres worth of Indian meal, rice, peas, and hay, and a large quantity of plank, etc. to repair the buildings destroyed. They applied to M. de Ternant, and then with his consent to me; he and I having previously had a conversation on the subject. They proposed to me, first, that we should supply those wants from the money we owed France; or secondly, from the bills of exchange which they were authorized to draw on a particular fund in France; or thirdly, that we would guarantee their bills, in which case they could dispose of them to merchants, and buy the necessaries them-

Digitized by Google

selves. I convinced them the two latter alternatives were beyond the powers of the executive, and the first could only be done with the consent of the minister of France. In the course of our conversation, I expressed to them our sincere attachment to France and all its dominions, and most especially to them who were our neighbors, and whose interests had some common points of union with ours in matters of commerce; that we wished, therefore, to render them every service they needed, but that we could not do it in any way disagreeable to France; that they must be sensible, that M. de Ternant might apprehend that jealousy would be excited by their addressing themselves directly to foreign powers, and therefore, that a concert with him in their applications to us, was essential. The subject of independence, and their views towards it having been stated in the public papers, this led our conversation to it; and I must say, they appeared as far from these views as any persons on earth. I expressed to them freely my opinion, that such an object was neither desirable on their part, nor attainable; that, as to ourselves, there was one case which would be peculiarly alarming to us, to wit, were there a danger of their falling under any other power; that we conceived it to be strongly our interests, that they should retain their connection with the mother country; that we had a common interest with them, in furnishing them the necessaries of life in exchange for sugar and coffee for our

Digitized by Google

own consumption, but that I thought we might rely on the justice of the mother country towards them, for their obtaining this privilege; and on the whole, let them see that nothing was to be done, but with the consent of the minister of France. I am convinced myself that their views and their application to us are perfectly innocent; however, M. de Ternant, and still more, M. de La Forest, are jealous. The deputies, on the other hand, think that M. de Ternant is not sensible enough of their wants. They delivered me sealed letters to the President and to Congress. That to the President contained only a picture of their distresses, and application for relief. That to Congress, I know no otherwise than through the public papers. The Senate read it, and sent it to the Representatives, who read it, and have taken no other notice of it. The line of conduct I pursue is, to persuade these gentlemen to be contented with such moderate supplies, from time to time, as will keep them from real distress, and to wait with patience for what would be a surplus, till M. de Ternant can receive instructions from France, which he has reason to expect within a few weeks; and I encourage the latter gentleman even to go beyond their absolute wants of the moment, so far as to keep them in good humor. He is accordingly proposing to lay out ten thousand dollars for them, for the present. It would be ridiculous in the present case, to talk about forms. There are situations when form must

Digitized by Google

be dispensed with. A man attacked by assassins will call for help to those nearest him, and will not think himself bound to silence till a magistrate may come to his aid. It would be unwise in the highest degree, that the colonists should be disgusted with either France or us; for it might then be made to depend on the moderation of another power, whether what appears a chimera might not become a reality. I have thought it necessary to go thus fully into this transaction, and particularly as to the sentiments I have expressed to them, that you may be enabled to place our proceedings in their true light.

Our Indian expeditions have proved successful. As yet, however, they have not led to peace. Mr. Hammond has lately arrived here as Minister Plenipotentiary from the court of London, and we propose to name one to that court in return. Congress will probably establish the ratio of representation by a bill now before them, at one representative for every thirty thousand inhabitants. Besides the newspapers, as usual, you will receive herewith the census lately taken, by towns and counties as well as by States.

I am, with great and sincere esteem, dear Sir, your most obedient, and most humble servant.

Digitized by Google

TO COLONEL HUMPHREYS.

PHILADELPHIA, November 29, 1791.

DEAR SIR,—My last to you was of August 23, acknowledging the receipt of your Nos. 19, 21, and 22. Since that, I have received from 23 to 33 inclusive. In mine, I informed you I was about setting out for Virginia, and consequently should not write to you till my return. This opportunity, by Captain Wicks, is the first since my return.

The party which had gone, at the date of my last, against the Indians north of the Ohio, were commanded by General Wilkinson, and were as successful as the first, having killed and taken about eighty persons, burnt some towns, and lost, I believe, not a man. As yet, however, it has not produced peace. A very formidable insurrection of the negroes in French St. Domingo has taken place. From thirty to fifty thousand are said to be in arms. They have sent here for aids of military stores and provisions, which we furnish just as far as the French minister here approves. Mr. Hammond is arrived here as Minister Plenipotentiary from Great Britain, and we are about sending one to that court from hence. The census, particularly as to each part of every State, is now in the press; if done in time for this conveyance, it shall be forwarded. The legislature have before them a bill for allowing one representative for every thirty thousand persons, which has passed the Represen-

Digitized by Google

tatives, and is now with the Senate. Some late inquiries into the state of our domestic manufactories give a very flattering result. Their extent is great and growing through all the States. Some manufactories on a large scale are under contemplation. As to the article of Etrennes inquired after in one of your letters, it was under consideration in the first instance, when it was submitted to the President, to decide on the articles of account which should be allowed the foreign ministers in addition to their salary; and this article was excluded, as everything was meant to be which was not in the particular enumeration I gave you. With respect to foreign newspapers, I receive those of Amsterdam, France, and London so regularly, and so early, that I will not trouble you for any of them; but I will thank you for those of Lisbon and Madrid, and in your letters to give me all the information you can of Spanish affairs, as I have never yet received but one letter from Mr. Carmichael, which you I believe brought from Madrid. You will receive with this a pamphlet by Mr. Coxe in answer to Lord Sheffield, Freneau and Fenn's papers. I am, with great and sincere esteem, dear Sir, your most obedient, and most humble servant.

Digitized by Google

TO DANIEL SMITH, ESQ.

PHILADELPHIA, November 29, 1791.

SIR,—I have to acknowledge the receipt of your favors of September 1 and October 4, together with the report of the Executive proceedings in the South-Western government from March 1 to July 26.

In answer to that part of yours of September 1, on the subject of a seal for the use of that government, I think it extremely proper and necessary, and that one should be provided at public expense.

The opposition made by Governor Blount and yourself to all attempts by citizens of the United States to settle within the Indian lines without authority from the General Government, is approved, and should be continued.

There being a prospect that Congress, who have now the Post Office bill before them, will establish a post from Richmond to Stanton, and continue it thence towards the South-West government a good distance, if not nearly to it, our future correspondence will be more easy, quick, and certain. I am, with great esteem, Sir, your most obedient, and most humble servant.

TO THE ATTORNEY GENERAL.

PHILADELPHIA, December 5, 1791.

DEAR SIR,—The enclosed memorial from the British minister, on the case of Thomas Pagan, con-

Digitized by Google

taining a complaint of injustice in the dispensations of law by the courts of Massachusetts, to a British subject, the President approves of my referring it to you, to report thereon your opinion of the proceedings, and whether anything, and what, can or ought to be done by the government in consequence thereof.

I am, with great and sincere esteem, dear Sir, your most obedient, and most humble servant.

The Memorial of the British Minister.

The undersigned, his Britannic Majesty's Minister Plenipotentiary to the United States of America, has the honor of laying before the Secretary of State, the following brief abstract of the case of Thomas Pagan, a subject of his Britannic Majesty, now confined in the prison of Boston, under an execution issued against him out of the supreme judicial court of Massachusetts Bay. To this abstract, the undersigned has taken the liberty of annexing some observations, which naturally arise out of the statement of the transaction, and which may perhaps tend to throw some small degree of light on the general merits of the case.

In the late war, Thomas Pagan was agent for, and part owner of a privateer called the Industry, which, on the 25th of March, 1783, off Cape Ann, captured a brigantine called the Thomas, belonging to Mr. Stephen Hooper, of Newport. The brigantine and cargo were libelled in the court of vice-admiralty

Digitized by Google

in Nova Scotia, and that court ordered the prize to be restored. An appeal was, however, moved for by the captors, and regularly prosecuted in England before the Lords of Appeals for prize causes, who, in February, 1790, reversed the decree of the vice-admiralty court of Nova Scotia, and condemned the brigantine and cargo as good and lawful prize.

In December, 1788, a judgment was obtained by Stephen Hooper in the court of common pleas for the county of Essex, in Massachusetts, against Thomas Pagan, for three thousand five hundred pounds lawful money, for money had and received to the plaintiff's use. An appeal was brought thereon in May, 1789, to the supreme judicial court of the commonwealth of Massachusetts, held at Ipswich, for the county of Essex, and on the 16th of June, 1789, a verdict was found for Mr. Hooper, and damages were assessed at three thousand and nine pounds two shillings and ten pence, which sum is "for the vessel called the brigantine Thomas, her cargo and every article found on board." After this verdict, and before entering the judgment, Mr. Pagan moved for a new trial, suggesting that the verdict was against law; because the merits of the case originated in a question, whether a certain brigantine called the Thomas, with her cargo, taken on the high seas by a private ship of war called the Industry, was prize or no prize, and that the court had no authority to give judgment in a cause where the point of a resulting or implied promise arose

Digitized by Google

upon a question of this sort. The supreme judicial court refused this motion for a new trial, because it appeared to the court, that in order to a legal decision it is not necessary to inquire whether this prize and her cargo were prize or no prize, and because the case did not, in their opinion, involve a question relative to any matter or thing necessarily consequent upon the capture thereof: it was therefore considered by the court, that Hooper should receive of Pagan three thousand and nine pounds two shillings and ten pence lawful money, damages; and taxed costs, sixteen pounds two shillings and ten pence. From this judgment, Pagan claimed an appeal to the supreme judicial court of the United States of America, for these reasons: that the judgment was given in an action brought by Hooper, who is, and at the time of commencing the action was, a citizen of the commonwealth of Massachusetts, one of the United States, against Pagan, who, at the time when the action was commenced, was, and ever since has been, a subject of the King of Great Britain, residing in and inhabiting his province of New Brunswick. This claim of an appeal was not allowed, because it was considered by the court, that this court was the supreme judicial court of the commonwealth of Massachusetts, from whose judgment there is no appeal; and further, because there does not exist any such court within the United States of America as that to which Pagan has claimed an appeal from the judgment of this

Digitized by Google

court. Thereupon, execution issued against Pagan on the 9th of October, 1789, and he has been confined in Boston prison ever since.

It is to be observed, that in August, 1789, Mr. Pagan petitioned the supreme judicial court of Massachusetts for a new trial, and after hearing the arguments of counsel, a new trial was refused. On the 1st of January, 1791, his Britannic Majesty's consul at Boston applied for redress on behalf of Mr. Pagan, to the Governor of Massachusetts Bay, who, in his letter of the 28th of January, 1791, was pleased to recommend this matter to the serious attention of the Senate and House of Representatives of that State. On the 14th of February, 1791, the British consul memorialized the Senate and House of Representatives on this subject. On the 22d of February, a committee of both Houses reported a resolution, that the memorial of the consul and message from the Governor, with all the papers, be referred to the consideration of the justices of the supreme judicial court, who were directed, as far as may be, to examine into and consider the circumstances of the case, and if they found that by the force and effect allowed by the law of nations to foreign admiralty jurisdictions, etc., Hooper ought not to have recovered judgment against Pagan, the court was authorized to grant a review of the action. On the 13th of June, 1791, the British consul again represented to the Senate and House of Representatives, that the justices of the supreme judicial

Digitized by Google

court had not been pleased to signify their decision on this subject, referred to them by the resolution of the 22d of February. This representation was considered by a committee of the Senate and of the House of Representatives, who concluded that one of them should make inquiry of some of the judges to know their determination, and upon being informed that the judges intended to give their opinion, with their reasons, *in writing*, the committee would not proceed any further in the business. On the 27th of June, 1791, Mr. Pagan's counsel moved the justices of the supreme judicial court for their opinion in the case of Hooper and Pagan, referred to their consideration by the resolve of the General Court, founded on the British consul's memorial. Chief Justice and Justice Dana being absent, Justice Paine delivered it as the unanimous opinion of the judges absent as well as present, that Pagan was not entitled to a new trial for any of the causes mentioned in the said resolve, and added, "that the court intended to put their opinions upon paper, and to file them in the cause: that the sickness of two of the court had hitherto prevented it, but that it would soon be done."

It is somewhat remarkable, that the supreme judicial court of Massachusetts Bay, should allege that this case did not necessarily involve a question relative to prize or no prize, when the very jury to whom the court referred the decision of the case established the fact; their verdict was for three

Digitized by Google

thousand and nine pounds two shillings and ten pence, damages, which sum is for the vessel called the brigantine Thomas, her cargo, and everything found on board. Hence it is evident, that the case *did* involve a question of prize or no prize, and having received a formal decision by the only court competent to take cognizance thereof, (viz. the high court of appeals for prize causes in England,) everything that at all related to the property in question, or to the legality of the capture, was thereby finally determined. The legality of the capture being confirmed by the high court of appeals in England, cannot consistently with the principles of the law of nations be discussed in a foreign court of law, or at least, if a foreign court of common law is, by any local regulations, deemed competent to interfere in matters relating to captures, the decisions of admiralty courts or courts of appeal, should be received and taken as conclusive evidence of the legality or illegality of captures. By such decisions, property is either adjudged to the captors or restored to the owners; if adjudged to the captors, they obtain a permanent property in the captured goods acquired by the rights of war, and this principle originates in the wisdom of nations, and is calculated to prevent endless litigation.

The proceedings of the supreme judicial court of Massachusetts Bay, are in direct violation of the rules and usages that have been universally practised among nations in the determination of the

Digitized by Google

validity of captures, and of all collateral questions that may have reference thereto. The General Court of Massachusetts Bay, among other things, kept this point in view, when they referred the case of Mr. Pagan to the consideration of the justices of the supreme judicial court, and authorized the court to grant a review of the action, if it should be found that by the force and effect allowed by the law of nations to foreign admiralty jurisdictions, Mr. Hooper ought not to have recovered judgment against Mr. Pagan. But the supreme judicial court have not only evaded this material consideration, upon which the whole question incontestably turns, but have assumed a fact in direct contradiction to the truth of the case, viz. that the case did not involve a question of prize or no prize. Moreover, they have denied Mr. Pagan the benefit of appeal to that court which is competent to decide on the force of treaties, and which court, by the Constitution of the United States, is declared to possess *appellate* jurisdiction both as to law and fact, in all cases of controversy between citizens of the United States and subjects of foreign countries, to which class this case is peculiarly and strictly to be referred.

From the foregoing abstract of the case of Thomas Pagan, it appears that he is now detained in prison, in Boston, in consequence of a judgment given by a court which is not competent to decide upon his case, or which, if competent, refused to admit the only evidence that ought to have given jurisdiction,

Digitized by Google

and that he is denied the means of appealing to the highest court of judicature known in these States, which exists in the very organization of the Constitution of the United States, and is declared to possess appellate jurisdiction in all cases of a nature similar to this.

For these reasons, the undersigned begs leave respectfully to submit the whole matter to the consideration of the Secretary of State, and to request him to take such measures as may appear to him the best adapted for the purpose of obtaining for the said Thomas Pagan, such speedy and effectual redress as his case may seem to require.

GEORGE HAMMOND.

PHILADELPHIA, November 26, 1791.

TO MR. M'ALISTER.

PHILADELPHIA, December 22, 1791.

SIR,—I am favored with yours of the 1st of November, and recollect with pleasure our acquaintance in Virginia. With respect to the schools of Europe, my mind is perfectly made up, and on full enquiry. The best in the world is Edinburgh. Latterly, too, the spirit of republicanism has become that of the students in general, and of the younger professors; so on that account also it is eligible for an American. On the continent of Europe, no place is comparable to Geneva. The sciences are there more modernized than anywhere else. There, too, the spirit of

Digitized by Google

republicanism is strong with the body of the inhabitants: but that of aristocracy is strong also with a particular class; so that it is of some consequence to attend to the class of society in which a youth is made to move. It is a cheap place. Of all these particulars Mr. Kinloch and Mr. Huger, of South Carolina, can give you the best account, as they were educated there, and the latter is lately from thence. I have the honor to be, with great esteem, Sir, your most obedient humble servant.

TO ARCHIBALD STUART.

PHILADELPHIA, December 23, 1791.

DEAR SIR,—I received duly your favor of October 22, and should have answered it by the gentleman who delivered it, but that he left town before I knew of it.

That it is really important to provide a constitution for our State cannot be doubted: as little can it be doubted that the ordinance called by that name has important defects. But before we attempt it, we should endeavor to be as certain as is practicable that in the attempt we should not make bad worse. I have understood that Mr. Henry has always been opposed to this undertaking; and I confess that I consider his talents and influence such as that, were it decided that we should call a convention for the purpose of amending, I should fear he might induce that convention either to fix

Digitized by Google

the thing as at present, or change it for the worse. Would it not therefore be well that means should be adopted for coming at his ideas of the changes he would agree to, and for communicating to him those which we should propose? Perhaps he might find ours not so distant from his, but that some mutual sacrifices might bring them together.

I shall hazard my own ideas to you as hastily as my business obliges me. I wish to preserve the line drawn by the federal constitution between the general and particular governments as it stands at present, and to take every prudent means of preventing either from stepping over it. Though the experiment has not yet had a long enough course to show us from which quarter encroachments are most to be feared, yet it is easy to foresee, from the nature of things, that the encroachments of the State governments will tend to an excess of liberty which will correct itself, (as in the late instance,) while those of the General Government will tend to monarchy, which will fortify itself from day to day, instead of working its own cure, as all experience shows. I would rather be exposed to the inconveniences attending too much liberty, than those attending too small a degree of it. Then it is important to strengthen the State governments; and as this cannot be done by any change in the federal constitution, (for the preservation of that is all we need contend for,) it must be done by the States themselves, erecting such barriers at the

Digitized by Google

constitutional line as cannot be surmounted either by themselves or by the General Government. The only barrier in their power is a wise government. A weak one will lose ground in every contest. To obtain a wise and an able government, I consider the following changes as important. Render the legislature a desirable station by lessening the number of representatives (say to 100) and lengthening somewhat their term, and porportion them equally among the electors. Adopt also a better mode of appointing senators. Render the Executive a more desirable post to men of abilities by making it more independent of the legislature. To wit, let him be chosen by other electors, for a longer time, and ineligible forever after. Responsibility is a tremendous engine in a free government. Let him feel the whole weight of it then, by taking away the shelter of his executive council. Experience both ways has already established the superiority of this measure. Render the judiciary respectable by every possible means, to wit, firm tenure in office, competent salaries, and reduction of their numbers. Men of high learning and abilities are few in every country; and by taking in those who are not so, the able part of the body have their hands tied by the unable. This branch of the government will have the weight of the conflict on their hands, because they will be the last appeal of reason. These are my general ideas of amendments; but, preserving the ends, I should be flexible and conciliatory

Digitized by Google

as to the means. You ask whether Mr. Madison and myself could attend on a convention which should be called? Mr. Madison's engagements as a member of Congress will probably be from October to March or April in every year. Mine are constant while I hold my office, and my attendance would be very unimportant. Were it otherwise, my office should not stand in the way of it. I am, with great and sincere esteem, dear Sir, your friend and servant.

TO THE PRESIDENT OF THE UNITED STATES.

PHILADELPHIA, December 23, 1791.

SIR,—As the conditions of our commerce with the French and British dominions are important, and a moment seems to be approaching when it may be useful that both should be accurately understood, I have thrown a representation of them into the form of a table, showing at one view how the principal articles interesting to our agriculture and navigation, stand in the European and American dominions of these two powers. As to so much of it as respects France, I have cited under every article the law on which it depends; which laws, from 1784 downwards, are in my possession.

Port charges are so different, according to the size of the vessel and the dexterity of the captain, that an examination of a greater number of port bills might, perhaps, produce a different result. I

Digitized by Google

can only say, that that expressed in the table is fairly drawn from such bills as I could readily get access to, and that I have no reason to suppose it varies much from the truth, nor on which side the variation would lie. Still, I cannot make myself responsible for this article. The authorities cited will vouch the rest.

I have the honor to be, with the most perfect respect and attachment, Sir, your most obedient, and most humble servant.

Digitized by Google

Footing of the Commerce of the United States with France and England, and with the French and English American Colonies.

	France.	Great Britain and Ireland.
Wheat, flour, &c.	(a) Free.	Prohibited till it is 6s. 4d. the bushel.
Rice.	(a) Free.	7s. 4d. sterling the kental.
Salted fish.	(b) 3 livres the kental.	Prohibited.
Salted beef.	(c) 5 livres the kental.	Prohibited.
Salted pork.	(d) 5 livres the kental in some ports. Prohibited in others.	44s. 9d. the kental.
Furs.	(a) Free.	15 to 20 per cent.
Indigo.	(c) 5 livres the kental.	Free.
Whale Oil.	(a) 7 livres and 10 sous the barrel of 350 lbs.	£18 3s. the ton.
Tar, pitch, turpentine.	(a) 2¼ per cent. 5 sous the kental, by new tariff.	11d. 11s. 2s. 3d. B.
Ships.	(a) Free for naturalization.	Prohibited naturalization.
Port charges. (h)	cents. average. Bordeaux, 23 the ton / Havre, 14 the ton } 18	average. London, 76 / Liverpool, 61 / Bristol, 1.43 / Hull, 1.57 } 1.09 dols.
Exports to. (f)	1,284,946 D.	(k) 6,886,970 D.
Imports from. (f)	155,136 D.	13,965,464 D.
Freighted in *their* vessels. (f)	9, 543 tons.	119,194 tons.
Freighted in *our* vessels. (f)	19,173 tons.	39,171 tons.
	French America.	**English America.**
Wheat, flour, &c.	(g) Prohibited by a general law. Free. by suspensions from time to time.	Free, by proclamation.
Rice.	(c) 1 per cent.	Free, by proclamation.
Salted fish.	(h) 1 per cent. & 3 livres kental.	Prohibited.
Salted beef.	(c) 1 per cent. & 3 livres kental.	Prohibited.
Port charges.	Cape Franc, .96 / Port au Prince, .40 / Martinique, .18 } average .55	Jamaica, .76 / Antigua, .22 / Barbadoes. .42 / St. Kitts, .43 / Dominique, .21 } average. .44
Exports to.	3,284,656 D.	2,357,583 D.
Imports from.	1,913,212 D.	1,319,964 D.
Freighted in *their* vessels.	3,959 tons.	107,759 tons.
Freighted in *our* vessels.	97.236 tons.	Prohibited.

Digitized by Google

The following articles being on an equal footing in both countries, are thrown together.

	France.	Great Britain and Ireland.
Tobacco.	Free of duty, but undermonopoly.	1s. 3d. the lb.
Wood.	Free. (a)	Free.
Pot and pearl ash.	Free. (a)	Free.
Flax seed.	Free. (a)	Free.
	French America.	**English America.**
Corn, Indian.	1 per cent. (c)	Free, by proclamation.
Wood.	1 per cent. (c)	Free, by proclamation.
Salted pork.	Prohibited. (c)	Prohibited.
Horses and mules.	Free. (c)	Free, by proclamation.
Live provisions.	1 per cent. (c)	Free, by proclamation.
Tar, pitch, turpentine.	1 per cent. (c)	Free, by proclamation.
Imports allowed.	Rum, molasses generally, sugar, and all other commodities till August 1, 1794.	Rum, molasses, sugar, coffee, cocoa nuts, ginger, pimento, by proclamation.

NOTES.

(a) By *Arret* of December the 29th, 1787. (b) By *Arret* of 1763.
(c) By *Arret* of August the 30th, 1784. (d) By *Arret* of 1788.
(e) By *Arret* of 1760.
(f) Taken from the Custom House returns of the United States.

(g) There is a general law of France prohibiting foreign flour in their islands, with a suspending power to their Governors, in cases of necessity. An *Arret* of May the 9th, 1789, by their Governor, makes it free till August, 1794; and in fact it is generally free there.

(h) The *Arret* of September the 18th, 1785, gave a premium of ten livres the kental, on fish brought in their own bottoms, for five years, so that the law expired September the 18th, 1790. Another *Arret*, passed a week after, laid a duty of five livres the kental, on fish brought in foreign vessels, to raise money for the premium before mentioned. The last *Arret* was not limited in time; yet seems to be understood as only commensurate with the other. Accordingly, an *Arret* of May the 9th, 1789, has made fish in foreign bottoms liable to three livres the kental only till August the 1st, 1794.

(i) The port charges are estimated from bills collected from the merchants of Philadelphia. They are different in different ports of the same country, and different in the same ports on vessels of different sizes. Where I had several bills of the same port, I averaged them together. The dollar is rated at 4s. 4½d. sterling in England, at 6s. 8d. in the British West Indies, and five livres twelve sous in France, and at eight livres five sous in the French West Indies.

Several articles stated to be *free* in France, do in fact pay one-eighths of a per cent., which was retained merely to oblige an entry to be made in their Custom House books. In like manner, several of the articles stated to be *free* in England, do, in fact, pay a light duty. The English duties are taken from the book of rates.

	Dollars.
(k) The exports to Great Britain and Ireland, are	6,888,978 50

How much they consume, I know not. They certainly re-export the following:

	Dollars.	
Grain, the whole since the law of the last parliament	1,093,885	
Tobacco, five-sixths, according to Sheffield's tables	2,296,411	
Rice, five-sevenths, according to same	552,750	
Indigo, one-third, according to same	315,857	
Furs, probably one-half	17,950	
Ginseng, the whole	32,494	
Mahogany, Wine, } not being of our productions should also be deducted	16,734 4,425	
		4,329,456 00
Remainder, including their consumption and the unknown re-exportations		2,559,522 50

The exportations certainly known, then, are five-eighths of the whole.

Digitized by Google

TO PRESIDENT WASHINGTON.

PHILADELPHIA, January 4, 1792.

SIR,—Having been in conversation to-day with Monsieur Payan, one of the St. Domingo deputies, I took occasion to inquire of him the footing on which our commerce there stands at present, and particularly whether the colonial *Arret* of 1789, permitting a free importation of our flour till 1793, was still in force. He answered, that that *Arret* was revoked in France on the clamors of the merchants there; and with a like permission to carry flour to the three usual ports, and he thinks to bring away coffee and sugar, was immediately renewed by the Governor. Whether this has been regularly kept up by renewed *Arrets*, during the present troubles, he cannot say, but is sure that in practice it has never been discontinued, and that not by contraband, but openly and legally, as is understood. The public application to us to send flour there, is a proof of it. Instead, therefore, of resting this permission on a colonial *Arret* till 1793, it should be rested on temporary *Arrets* renewed from time to time, as heretofore. This correction of the notes I took the liberty of laying before you, with the table containing a comparative view of our commerce with France and England, I thought it my duty to make.

I have the honor to be, with the most perfect respect and attachment, Sir, your most obedient, and most humble servant.

Digitized by Google

TO MR. SHORT.

PHILADELPHIA, January 5, 1792.

DEAR SIR,—My last to you was of November 24th, since which I have received yours, Nos. 76, 77, and 81 to 87 inclusive. Your letter of October 6th, with your account to June, 1791, is not yet arrived, nor the box mentioned in your number 84. The memorial of the crew of the Indian shall be sent to the Governor of South Carolina. In a former letter I informed you that two balanciers would suffice for us, which will have served as an answer to that part of your late letters on the same subject. With respect to the Assayer, it will be better to defer taking any measures till the bill establishing a mint, which is now before the legislature, shall have passed.

We have been in expectation for some time that some overture would have been made to us from the Court of France, on the subject of the treaty of commerce recommended by the National Assembly to be entered into between the two nations. The executive of ours are perfectly disposed to meet such overtures, and to concur in giving them effect on the most liberal principles. This sentiment you may freely express to the Minister for Foreign Affairs.

We receive with deep regret daily information of the progress of insurrection and devastation in St. Domingo. Nothing indicates as yet that the

Digitized by Google

evil is at its height, and the materials, as yet untouched, but open to conflagration, are immense. The newspapers heretofore sent you, and those now sent, will have informed you of a very bloody action we have had with the Northern Indians, in which our army was defeated. This imposes the necessity of stronger preparations than were before thought requisite.

Some communications from the Court of Madrid having been lately, for the first time, made to us, these shall be the subject of a separate letter.

You mention some failures in the receipt of the journals of Congress and other public papers. I trust always to Mr. Remson to make them up from time to time, and I can answer for his punctuality. I send you his statement of those which have been sent, so that the failure has probably arisen from the inexactitude of those to whom they have been confided. At present we watch for vessels bound to Havre whereby to send them. You will receive some by the *Jeune Eole*, which sails from hence to that port next week. I am not certain whether this letter will go by the same conveyance, or by the English packet. I am, with the highest esteem and attachment, your affectionate humble servant.

Digitized by Google

TO THOMAS PINCKNEY.

PHILADELPHIA, January 17, 1792.

SIR,—Your favors of November the 29th, 30th, and December the 1st, came duly to hand, and gave sincere pleasure, by announcing your disposition to accept the appointment to London. The nominations to Paris and the Hague having been detained till yours could be made, they were all immediately sent in to the Senate, to wit, yourself for London, Mr. G. Morris for Paris, Mr. Short for the Hague. Some members of the Senate, apprehending they had a right of determining on the *expediency* of foreign missions, as well as on the *persons* named, took that occasion of bringing forward the discussion of that question, by which the nominations were delayed two or three weeks. I am happy to be able to assure you, that not a single personal motive with respect to yourself entered into the objections to these appointments. On the contrary, I believe that your nomination gave general satisfaction. Your commission will be immediately made out, but as the opportunities of conveyance at this season are precarious, and you propose coming to this place, I think it better to retain it.

As to the delay proposed in your letter, it was to be expected: indeed, a winter passage from Charleston to this place, or across the Atlantic, is so disagreeable, that if either that circumstance or the arrangement of your affairs should render it in the

Digitized by Google

smallest degree eligible to you, to remain at home till the temperate season comes on, stay till after the vernal equinox; there will be no inconvenience to the public attending it. On the contrary, as we are just opening certain negotiations with the British minister here, which have not yet assumed any determinate complexion, a delay till that time will enable us to form some judgment of the issue they may take, and to know exactly in what way your cooperation at the place of your destination, may aid us. On this and other accounts, it will be highly useful that you take this place in your way, where, or at New York, you will always be sure of finding a convenient passage to England.

I have the honor to be, with the most perfect esteem and respect, Sir, your most obedient, and most humble servant.

TO WILLIAM SHORT.

PHILADELPHIA, January 23, 1792.

DEAR SIR,—I have the pleasure to inform you, that the President of the United States has appointed you minister resident for the United States at the Hague, which was approved by the Senate on the 16th instant. This new mark of the President's confidence will be the more pleasing to you, as it imports an approbation of your former conduct, whereon be pleased to accept my congratulations. You will receive herewith, a letter from myself to

Digitized by Google

Monsieur de Montmorin, closing your former mission, your new commission, letters of credence from the President for the States General and Stadtholder, sealed, and copies of them open for your own satisfaction. You will keep the cypher we have heretofore used.

Your past experience in the same line, renders it unnecessary for me to particularize your duties on closing your present, or conducting your future mission. Harmony with our friends being our object, you are sensible how much it will be promoted by attention to the manner as well as the matter of your communications with the government of the United Netherlands. I feel myself particularly bound to recommend, as the most important of your charges, the patronage of our commerce and the extension of its privileges, both in the United Netherlands and their colonies, but most especially the latter.

The allowance to a minister resident of the United States, is four thousand five hundred dollars a year, *for all his personal services and other expenses*, a year's salary for his outfit, and a quarter's salary for his return. It is understood that the *personal services and other expenses* here meant, do not extend to the cost of gazettes and pamphlets transmitted to the Secretary of State's office, to translating or printing necessary papers, postage, couriers, and necessary aids to poor American sailors. These additional charges, therefore, may be inserted in your accounts; but no other of any description, unless where they

Digitized by Google

are expressly directed to be incurred. The salary of your new grade being the same as of your former one, and your services continued, though the scene of them is changed, there will be no intermission of salary; the new one beginning where the former ends, and ending when you shall receive notice of your permission to return. For the same reason there can be but one allowance of outfit and return, the former to take place now, the latter only on your final return. The funds appropriated to the support of the foreign establishment, do not admit the allowance of a secretary to a minister resident. I have thought it best to state these things to you minutely, that you may be relieved from all doubt as to the matter of your accounts. I will beg leave to add a most earnest request, that on the 1st day of July next, and on the same day annually afterwards, you make out your account to that day, and send it by the first vessel, and by duplicates. In this I must be very urgent and particular; because at the meeting of the ensuing Congress always, it is expected that I prepare for them a statement of the disbursements from this fund, from July to June inclusive. I shall give orders by the first opportunity, to our bankers in Amsterdam, to answer your drafts for the allowances herein before mentioned, recruiting them at the same time by an adequate remitment; as I expect that by the time you receive this, they will not have remaining on hand of this fund, more than seven or eight thousand dollars.

Digitized by Google

You shall receive from me, from time to time, the laws and journals of Congress, gazettes and other interesting papers: for whatever information is in possession of the public, I shall leave you generally to the gazettes, and only undertake to communicate by letter, such, relative to the business of your mission, as the gazetteers cannot give. From you I shall ask, once or twice a month regularly, a communication of interesting occurrences in Holland, of the general affairs of Europe, and the regular transmission of the Leyden gazette by every British packet, in the way it now comes, which proves to be very regular. Send also such other publications as may be important enough to be read by one who can spare little time to read anything, or which may contain matter proper to be turned to, on interesting subjects and occasions. The English packet is the most certain channel for such epistolary communications as are not very secret, and by those packets I would wish always to receive a letter from you, by way of corrective to the farrago of news they generally bring. Intermediate letters, secret communications, gazettes, and other printed papers, had better come by private vessels from Amsterdam; which channel I shall use generally for my letters, and always for gazettes and other printed papers.

The President has also joined you in a special and temporary commission with Mr. Carmichael to repair to Madrid, and there negotiate certain matters respecting the navigation of the Mississippi, and other

Digitized by Google

points of common interest between Spain and us. As some time will be necessary to make out the instructions and transcripts necessary in this business, they can only be forwarded by some future occasion; but they shall be soon forwarded, as we wish not to lose a moment in advancing negotiations so essential to our peace. For this reason, I must urge you to repair to the Hague at the earliest day the settlement of your affairs at Paris will admit, that your reception may be over, and the idea of your being established there strengthened, before you receive the new orders.

I have the honor to be, with sincere respect and esteem, dear Sir, your most obedient, and most humble servant.

TO GOUVERNEUR MORRIS.

PHILADELPHIA, January 23, 1792.

DEAR SIR,—I have the pleasure to inform you, that the President of the United States has appointed you Minister Plenipotentiary for the United States, at the court of France, which was approved by the Senate on the 12th instant; on which be pleased to accept my congratulations. You will receive herewith your commission, a letter of credence for the King, sealed, and a copy of it open for your own satisfaction, as also a cypher, to be used on proper occasions in the correspondence between us.

Digitized by Google

To you, it would be more than unnecessary for me to undertake a general delineation of the functions of the office to which you are appointed. I shall therefore only express our desire, that they be constantly exercised in that spirit of sincere friendship and attachment which we bear to the French nation; and that in all transactions with the minister, his good dispositions be conciliated by whatever in language or attentions may tend to that effect. With respect to their government, we are under no call to express opinions which might please or offend any party, and therefore it will be best to avoid them on all occasions, public or private. Could any circumstances require unavoidably such expressions, they would naturally be in conformity with the sentiments of the great mass of our countrymen, who, having first, in modern times, taken the ground of government founded on the will of the people, cannot but be delighted on seeing so distinguished and so esteemed a nation arrive on the same ground, and plant their standard by our side.

I feel myself particularly bound to recommend, as the most important of your charges, the patronage of our commerce, and the extension of its privileges, both in France and her colonies, but most especially the latter. Our consuls in France are under general instructions to correspond with the minister of the United States at Paris; from them you may often receive interesting information. Joseph Fenwick is consul at Bordeaux, and Burwell

Digitized by Google

Carnes at Nantz; Monsieur de la Motte vice consul at Havre, and Monsieur Cathalan at Marseilles.

An act of Congress, of July the 1st, 1790, has limited the allowance of a minister plenipotentiary to nine thousand dollars a year *for all his personal services and other expenses*, a year's salary for his outfit, and a quarter's salary for his return. It is understood that *the personal services and other expenses* here meant, do not extend to the cost of gazettes and pamphlets transmitted to the Secretary of State's office, to translating or printing necessary papers, postage, couriers, and necessary aids to poor American sailors. These additional charges, therefore, may be inserted in your accounts; but no other of any description, unless where they are expressly directed to be incurred. By an ancient rule of Congress, your salary will commence from the day you receive this letter, if you be then at Paris, or from the day you set out for Paris from any other place at which it may find you; it ceases on receiving notice or permission to return, after which the additional quarter's allowance takes place. You are free to name your own private secretary, who will receive from the public a salary of thirteen hundred and fifty dollars a year, without allowance for any *extras*. I have thought it best to state these things to you minutely, that you may be relieved from all doubt as to the matter of your accounts. I will beg leave to add a most earnest request, that on the 1st day of July next, and on the same day annually afterwards,

Digitized by Google

you make out your account to that day, and send it by the first vessel, and by duplicates. In this I must be very urgent and particular, because at the meeting of the ensuing Congress always, it is expected that I prepare for them a statement of the disbursements from this fund, from July to June inclusive. I shall give orders by the first opportunity to our bankers in Amsterdam, to answer your drafts for the allowances herein before mentioned, recruiting them at the same time by an adequate remitment, as I expect that by the time you receive this, they will not have remaining on hand of this fund more than seven or eight thousand dollars.

You shall receive from me, from time to time, the laws and journals of Congress, gazettes and other interesting papers; for whatever information is in possession of the public, I shall leave you generally to the gazettes, and only undertake to communicate by letter, such, relative to the business of your mission, as the gazettes cannot give.

From you I shall ask, once or twice a month regularly, a communication of interesting occurrences in France, of the general affairs of Europe, and transmission of the Leyden gazette, the *journal logographe*, and the best paper of Paris for their colonial affairs, with such other publications as may be important enough to be read by one who can spare little time to read anything, or which may contain matter proper to be turned to, on interesting subjects and occasions. The English packet is the most certain

Digitized by Google

channel for such epistolary communications as are not very secret, and by those packets I would wish always to receive a letter from you by way of corrective to the farrago of news they generally bring. Intermediate letters, secret communications, gazettes and other printed papers, had better come through the channel of Monsieur de la Motte at Havre, to whom I shall also generally address my letters to you, and always the gazettes and other printed papers.

Mr. Short will receive by the same conveyance, his appointment as minister resident at the Hague.

I have the honor to be, with great esteem and respect, dear Sir, your most obedient, and most humble servant.

TO MONSIEUR DE MONTMORIN.

PHILADELPHIA, January 23, 1792.

SIR,—The President of the United States having destined Mr. Short to another employment, he is instructed to take leave of the court of France. The perfect knowledge I have of his understanding and dispositions, gives me full confidence that he has so conducted himself during his residence near them, as to merit their approbation; and that he will mark his departure with those respectful attentions and assurances which will give them entire satisfaction. Above all things, I hope that every exercise of his functions has been consistent with the sincerity of

Digitized by Google

the friendship we bear to the King and nation, and that you will be persuaded, that no one is more cordial in that sentiment than he who has the honor to be, with the most profound respect and attachment, Sir, your most obedient, and most humble servant.

TO DON JOSEPH JAUDENES, AND DON JOSEPH VIAR.

PHILADELPHIA, January 25, 1792.

GENTLEMEN,—Don Joseph Jaudenes having communicated to me verbally that his Catholic Majesty had been apprised of our solicitude to have some arrangements made respecting our free navigation of the Mississippi, and a port thereon convenient for the deposit of merchandise of export and import for lading and unlading the sea and river vessels, and that his Majesty would be ready to enter into treaty thereon directly with us, whensoever we should send to Madrid a proper and acceptable person authorized to treat on our part, I laid the communication before the President of the United States. I am authorized by him to assure you that our Government has nothing more at heart than to meet the friendly advances of his Catholic Majesty with cordiality, and to concur in such arrangements on the subject proposed, as may tend best to secure peace and friendship between the two nations on a permanent footing. The President has, therefore, with the approbation of the Senate, appointed Mr. Short, our present minister resident at the Hague, to proceed to Madrid as a

Digitized by Google

joint commissioner with Mr. Carmichael, with full powers to treat on the subject before mentioned, and I have no doubt that these gentlemen will so conduct themselves as to give entire satisfaction. Mr. Short's business at the Hague will occasion a short delay of his departure from that place for Madrid, but he will be duly urged to make it as short as possible.

I have the honor to be, with sentiments of the most perfect esteem and respect, Gentlemen, your most obedient, and most humble servant.

TO WILLIAM SHORT.

PHILADELPHIA, January 28, 1792.

DEAR SIR,—My last private letter to you was of November 25th, your last received was of September 29th. Though the present will be very confidential, and will go, I do not know how, I cannot take time to cypher it all. What has lately occurred here will convince you I have been right in not raising your expectations as to an appointment. The President proposed at first the nomination of Mr. T. Pinckney to the court of London, but would not name him till we could have an assurance from him that he would accept, nor did he indicate what the other appointments would be till Mr. Pinckney's answer came. Then he nominated to the Senate Mr. Morris, M. P. for France, Pinckney, M. P. for London, and yourself

Digitized by Google

M. R. for the Hague. The first of these appointments was extremely unpopular, and so little relished by several of the Senate, that every effort was used to negative it. Those whose personal objections to Mr. Morris overruled their deference to the President, finding themselves a minority, joined with another small party who are against all foreign appointments, and endeavored with them to put down the whole system rather than let this article pass. This plan was defeated, and Mr. Morris passed by a vote of 16 against 11. When your nomination came on, it was consented to, by 15 against 11, every man of the latter, however, rising and declaring, that as to yourself they had no personal objection, but only meant by their vote to declare their opinion against keeping any person at the Hague. Those who voted in the negative were not exactly the same in both cases. When the biennial bill furnishing money for the support of the foreign establishment shall come up at the next session, to be continued, the same contest will arise again, and I think it very possible that if the opponents of Mr. Morris cannot remove him otherwise, they will join again with those who are against the whole establishment, and try to discontinue the whole. If they fail in this, I still see no security in their continuing the mission to the Hague; because to do this they must enlarge the fund from forty to fifty thousand dollars. The President afterwards proceeded to join you to Carmichael on a special mission to Spain, to which there

Digitized by Google

was no opposition, except from three gentlemen who were against opening the Mississippi.

I am, with sincere attachment, dear Sir, your affectionate friend and servant.

TO COLONEL ALEXANDER HAMILTON.

February —, 1792.

DEAR SIR,—I return you the report on the mint, which I have read over with a great deal of satisfaction. I concur with you in thinking that the unit must stand on both metals, that the alloy should be the same in both, also in the proportion you establish between the value of the two metals. As to the question on whom the expense of coinage is to fall, I have been so little able to make up an opinion satisfactory to myself, as to be ready to concur in either decision. With respect to the dollar, it must be admitted by all the world, that there is great uncertainty in the meaning of the term, and therefore all the world will have justified Congress for their first act of removing the uncertainty by declaring what they understand by the term, but the uncertainty once removed, exists no longer, and I very much doubt a right now to change the value, and especially to lessen it. It would lead to so easy a mode of paying off their debts. Besides, the parties injured by this reduction of the value would have so much matter to urge in support of the first point of fixation. Should it be thought, however, that Con-

Digitized by Google

gress may reduce the value of the dollar, I should be for adopting for our unit, instead of the dollar, either one ounce of pure silver, or one ounce of standard silver, so as to keep the unit of money a part of the system of measures, weights and coins. I hazard these thoughts to you extempore and am, dear Sir, respectfully and affectionately.

TO THE BRITISH MINISTER (GEORGE HAMMOND).

PHILADELPHIA, February 2, 1792.

SIR,—On the receipt of your letter of the 14th of December, I communicated it to the President of the United States, and under the sanction of his authority, the principal members of the executive department made it their duty to make known in conversations generally, the explicit disclaimer, in the name of your court, which you had been pleased to give us, that the government of Canada had supported or encouraged the hostilities of our Indian neighbors in the western country. Your favor of January the 30th, to the same purpose, has been, in like manner, communicated to the President, and I am authorized to assure you, that he is duly sensible of this additional proof of the disposition of the court of London, to confine the proceedings of their officers in our vicinage within the limits of friendship and good neighborhood, and that a conduct so friendly and just, will furnish us a motive the more for those

Digitized by Google

duties and good offices which neighbor nations owe each other.

You have seen too much, Sir, of the conduct of the press in countries where it is free, to consider the gazettes as evidence of the sentiments of any part of the government; you have seen them bestow on the government itself, in all its parts, its full share of inculpation. Of the sentiments of our government on the subject of your letter, I cannot give you better evidence than the statement of the causes of the Indian war, made by the Secretary of War on the 26th of the last month, by order of the President, and inserted in the public papers. No interference on the part of your nation is therein stated among the causes of the war. I am happy, however, in the hope, that a due execution of the treaty will shortly silence those expressions of public feeling by removing their cause. I have the honor to be, with great respect and esteem, Sir, your most obedient, and most humble servant.

TO THE PRESIDENT OF THE UNITED STATES.

PHILADELPHIA, February 4, 1792.

SIR,—The late appointment of a minister resident to the Hague, has brought under consideration the condition of Mr. Dumas, and the question, whether he is, or is not, at present in the service of the United States?

Digitized by Google

Mr. Dumas, very early in the war, was employed first by Dr. Franklin, afterwards by Mr. Adams, to transact the affairs of the United States in Holland. Congress never passed any express vote of confirmation, but they opened a direct correspondence with Mr. Dumas, sent him orders to be executed, confirmed and augmented his salary, made that augmentation retrospective, directed him to take up his residence in their hotel at the Hague, and passed such other votes from time to time as established him *de facto* their agent at the Hague. On the change in the organization of our government in 1789, no commission nor new appointment took place with respect to him, though it did in most other cases; yet the correspondence with him from the office of Foreign Affairs has been continued, and he has regularly received his salary. A doubt has been suggested, whether this be legal. I have myself no doubt but what it is legal. I consider the source of authority with us to be the Nation. Their will, declared through its proper organ, is valid, till revoked by their will declared through its proper organ again also. Between 1776 and 1789, the proper organ for pronouncing their will, whether legislative or executive, was a Congress formed in a particular manner. Since 1789 it is a Congress formed in a different manner, for laws, and a President, elected in a particular way, for making appointments and doing other executive acts. The laws and appointments of the ancient Congress were as valid

Digitized by Google

and permanent in their nature, as the laws of the new Congress, or appointments of the new Executive; these laws and appointments, in both cases deriving equally their source from the will of the nation; and when a question arises, whether any particular law or appointment is still in force, we are to examine, not whether it was pronounced by the ancient or present organ, but whether it has been at any time revoked by the authority of the nation, expressed by the organ competent at the time. The nation, by the act of their federal convention, established some new principles and some new organizations of the government. This was a valid declaration of their will, and *ipso facto* revoked some laws before passed, and discontinued some officers and offices before appointed. Wherever, by this instrument, an old office was suspended by a new one, a new appointment became necessary; but where the new Constitution did not demolish an office, either expressly or virtually, nor the President remove the officer, both the office and officer remained. This was the case of several; in many of them, indeed, an excess of caution dictated the superaddition of a new appointment; but where there was no such superaddition, as in the instance of Mr. Dumas, both the office and officer still remained: for the will of the nation, validly pronounced by the proper organ of the day, had constituted him their agent, and that will has not, through any of its successive organs, revoked its appointment. I think, there-

Digitized by Google

fore, there is no room to doubt its continuance, and that the receipt of salary by him has been lawful.

However, I would not wish to take on myself alone the decision of a question so important, whether considered in a legal or constitutional view; and therefore submit it to you, Sir, whether it is not a proper question whereon to take the opinion of the Attorney General?

Another question then arises, Ought Mr. Dumas to be discontinued? I am of opinion he ought not.

1. Not at this time; because Mr. Short's mission to Madrid will occasion an immediate vacancy at the Hague again; and because, by the time that will be over, his appointment at the Hague must be discontinued altogether, unless Congress should enlarge the foreign fund.

2. Not at any time; because, when, after the peace, Mr. Dumas' agency became of less importance, Congress, under various views of his sacrifices and services, manifested that their continuance of him was in consideration of these, and of his advanced years and infirm state, which render it impossible for him to launch into a new line of gaining a livelihood; and they thought the continuance of moderate competence to him for moderate services, was more honorable to the United States than to abandon him in the face of Europe, after and under such circumstances.

I have the honor to be, with sentiments of the most profound respect and attachment, Sir, your most obedient, and most humble servant.

Digitized by Google

TO THE PRESIDENT OF THE UNITED STATES.

PHILADELPHIA, February 7, 1792.

SIR,—An account presented to me by Mr. John B. Cutting, for expenditures incurred by him in liberating the seamen of the United States in British ports, during the impressments, which took place under that government in the year 1790, obliges me to recall some former transactions to your mind.

You will be pleased to recollect the numerous instances of complaint or information to us, about that time, of the violence committed on our seafaring citizens in British ports, by their press-gangs and officers, and that, not having even a consul there at that time, it was thought fortunate that a private citizen, who happened to be on the spot, stepped forward for their protection; that it was obvious that these exertions on his part must be attended with expense, and that a particular demand of fifty pounds sterling for this purpose coming incidentally to my knowledge, it was immediately remitted to Mr. Cutting, with a request to account for it in convenient time. He now presents an account of all his expenditures in this business, which I have the honor to communicate herewith. According to this, the oppression extends to a much greater number of our citizens, and their relief is more costly, than had been contemplated. It will be necessary to lay the account before the Legislature; because, the expenses being of a description which had not occurred before,

Digitized by Google

no appropriation heretofore made would authorize payment at the treasury; because, too, the nature of the transactions may in some instances require, justly, that the ordinary rules of evidence, which the Auditor is bound to apply to ordinary cases, should suffer relaxations, which he probably will not think himself authorized to admit, without the orders of the Legislature.

The practice in Great Britain of impressing seamen whenever war is apprehended, will fall more heavily on ours than on those of any other foreign nation, on account of the sameness of language. Our minister at that court, therefore, will, on these occasions, be under the necessity of interfering for their protection, in a way which will call for expense. It is desirable that these expenses should be reduced to certain rules, as far as the nature of the case will admit, and the sooner they are so reduced the better. This may be done, however, on surer grounds after the government of Great Britain shall have entered with us into those arrangements on this particular subject which the seriousness of the case calls for on our part, and its difficulty may admit on theirs. This done, it will be desirable that legislative rules be framed which may equally guide and justify the proceedings of our minister, or other agent, at that court, and at the same time extend to our seafaring citizens the protection of which they have so much need.

Mr. Cutting being on the spot, will himself furnish

Digitized by Google

the explanations and documents of his case, either to the legislature or a committee of it, or to the Auditor, as he shall be required.

I have the honor to be, with sentiments of the most perfect esteem and respect, Sir, your most obedient, and most humble servant.

TO THE BRITISH MINISTER (GEORGE HAMMOND).

PHILADELPHIA, February 25, 1792.

SIR,—I have now the honor to enclose you the answer of the Attorney General to a letter I wrote him on the subject of yours of the 18th instant.

It appears that the judges of the Supreme Court of the United States are open to the application of Mr. Pagan for a writ of error to revise his case. This writ is to be granted, indeed, or refused, at the discretion of the judge; but the discretion of a judge is governed by the rules of law; if these be in favor of Mr. Pagan's application, his case will be reviewed in the Supreme Court, and the decision against him corrected, if wrong; if these be against his application, he will then be at the end of the ordinary course of law, at which term alone it is usual for nations to take up the cause of an individual, and to inquire whether their judges have refused him justice. At present, therefore, I am not able to say more, than that the judges of the Supreme Court of the United States will receive Mr. Pagan's application for a writ

Digitized by Google

of error to revise the judgment given against him by the inferior court, and that there can be no doubt they will do on that application what shall be right.

I have the honor to be, with the highest esteem, your most obedient, and most humble servant.

TO MESSRS. JOHNSON, CARROLL, AND STEWART.

PHILADELPHIA, March 6, 1792.

GENTLEMEN,—It having been found impracticable to employ Major L'Enfant about the federal city, in that degree of subordination which was lawful and proper, he has been notified that his services are at an end. It is now proper that he should receive the reward of his past services; and the wish that he should have no just cause of discontent, suggests that it should be liberal. The President thinks of two thousand five hundred, or three thousand dollars: but leaves the determination to you. Ellicott is to go on, the week after the next, to finish laying off the plan on the ground, and surveying and platting the district. I have remonstrated with him on the excess of five dollars a day and his expenses, and he has proposed striking off the latter; but this also is left to you, and to make the allowance retrospective. He is fully apprised that he is entirely under your orders, and there will be no person employed but under your orders. The enemies of this enterprise will take advantage of the retirement of

Digitized by Google

L'Enfant, to trumpet an abortion of the whole. This will require double exertions, to be counteracted. I enclose you the project of a loan which is agreed on, if you approve it. Your answer will be immediately expected, and is kept entirely secret, till the subscriptions are actually opened. With this money, in aid of your other funds, the works may be pushed with such spirit as to evince to the world that they will not be relaxed.

The immediate employment of a superintendent, of activity and intelligence equal to the nature of his functions and the public expectations, becomes important. You will, doubtless, also consider it as necessary to advertise immediately for plans of the Capitol and President's house. The sketch of an advertisement for the plan of a Capitol, which Mr. Johnson had sent to the President, is now returned with some alterations, and one also for a President's house. Both of them are subject to your pleasure, and when accommodated to that, if you will return them, they shall be advertised here and elsewhere. The President thinks it of primary importance to press the providing as great quantities of brick, stone, lime, plank, timber, etc., this year as possible. It will occur to you that the stone should be got by a skilful hand. Knowing what will be your funds, you will be able to decide which of the following works had better be undertaken for the present year:

The cellars of both houses.

The foundations of one, or both.

Digitized by Google

Bridge over Rock Creek, and the post road brought over it.

Canal.

Wharves.

The affair of Mr. Carroll, of Duddington's house, seems to call for settlement. The President thinks the most just course would be, to rebuild the house in the same degree, using the same materials as far as they will go, and supplying what are destroyed or rendered unfit; so that the effect will be in fact, only the removal of the house within his lot, and in a position square with the streets. Do you not think it would be expedient to take measures for importing a number of Germans and Highlanders? This need not be to such an extent as to prevent the employment of eastern laborers, which is eligible for particular reasons. If you approve of the importation of Germans and have a good channel for it, you will use it, of course. If you have no channel, I can help you to one. Though Roberdeau's conduct has been really blamable, yet we suppose the principal object of the arrest was to remove him off the ground. As the prosecution of him to judgment might give room to misrepresentation of the motives, perhaps you may think it not amiss to discontinue the proceedings. You will receive herewith a packet of papers, among which are several projects and estimates which have been given in by different persons, and which are handed on to you, not as by any means carrying with them any degree of approbation, but

Digitized by Google

merely, that if you find anything good in them, you may convert it to some account. Some of these contain the views of L'Enfant.

I have the honor to be, with the most perfect esteem and respect, Gentlemen, your most obedient, and most humble servant.

TO GOUVERNEUR MORRIS.

PHILADELPHIA, March 10, 1792.

DEAR SIR,—My letter of January the 23d, put under cover to Mr. Johnson in London, and sent by a passenger in the British packet of February, will have conveyed to you your appointment as Minister Plenipotentiary of the United States, at the court of France. By the Pennsylvania, Captain Harding, bound to Havre de Grace, and plying pretty regularly between this place and that, you will receive the present letter, with the laws of the United States, journals of Congress, and gazettes to this day, addressed to the care of M. de la Motte. You will also receive a letter from the President to the King of France, in answer to his announcing the acceptance of the Constitution, which came to hand only a week ago. A copy of this letter is sent for your own use. You will be pleased to deliver the sealed one, (to the minister, I presume, according to the ancient etiquette of the court,) accompanying it with the assurances of friendship, which the occasion may permit you to express, and which are cordially felt

Digitized by Google

by the President and the great body of our nation. We wish no occasion to be omitted of impressing the National Assembly with this truth. We had expected, ere this, that in consequence of the recommendation of their predecessors, some overtures would have been made to us on the subject of a treaty of commerce. An authentic copy of the recommendation was delivered, but nothing said about carrying it into effect. Perhaps they expect that we should declare our readiness to meet them on the ground of treaty. If they do, we have no hesitation to declare it. In the meantime, if the present communications produce any sensation, perhaps it may furnish a good occasion to endeavor to have matters re-placed *in statu quo*, by repealing the late innovations as to our ships, tobacco and whale oil. It is right that things should be on their ancient footing, at opening the treaty. M. Ternant has applied here for four thousand dollars for the succor of the French colonies. The Secretary of the Treasury has reason to believe, that the late loan at Antwerp has paid up all our arrearages to France, both of principal and interest, and consequently, that there is no part of our debt exigible at this time. However, the Legislature having authorized the President to proceed in borrowing to pay off the residue, provided it can be done to the *advantage* of the United States, it is thought the law will be satisfied with *avoiding loss* to the United States. This has obliged the Secretary of the Treasury to

Digitized by Google

require some conditions, which may remove from us that loss which we encountered, from an unfavorable exchange, to pay what was *exigible*, and transfer it to France as to payments not exigible. These shall be fully detailed to you when settled. In the meantime, the money will be furnished as far as it can be done. Indeed, our wishes are cordial for the re-establishment of peace and commerce in those colonies, and to give such proofs of our good faith both to them and the mother country, as to suppress all that jealousy which might oppose itself to the free exchange of our *mutual productions*, so essential to the prosperity of those colonies, and to the preservation of *our agricultural* interest. This is our true interest and our true object, and we have no reason to conceal views so justifiable, though the expression of them may require that the occasions be proper and the terms chosen with delicacy. The gazettes will inform you of the proceedings of Congress, the laws passed and proposed, and generally speaking, of all public transactions. You will perceive that the Indian war calls for sensible exertions. It would have been a trifle had we only avowed enemies to contend with. The British court have disavowed all aid to the Indians. Whatever may have been their orders in that direction, the Indians are fully and notoriously supplied by their agents with everything necessary to carry on the war. Time will show how all this is to end. Besides the laws, journals and newspapers, before mentioned,

Digitized by Google

you will receive herewith the State constitutions, the census and almanac, and an answer to Lord Sheffield on our commerce. A cypher is ready for you, but cannot be sent till we can find a trusty passenger going to Paris.

I am, with great respect and esteem, dear Sir, your most obedient, and most humble servant.

Since writing the preceding, the two Houses have come to resolutions on the King's letter, which are enclosed in the President's, and copies of them accompany this for your use.

TO MESSRS. CARMICHAEL AND SHORT.

PHILADELPHIA, March 18, 1792.

GENTLEMEN,—The President having thought proper to appoint you joint commissioners plenipotentiary, on the part of the United States, to treat with the court of Madrid on the subjects of the navigation of the Mississippi, arrangements on our limits, and commerce, you will herewith receive your commission; as also observations on these several subjects, reported to the President and approved by him, which will therefore serve as instructions for you. These expressing minutely the sense of our government and what they wish to have done, it is unnecessary for me to do more here than desire you to pursue these objects unremittingly, and endeavor to bring them to an issue in the course of the ensuing

Digitized by Google

summer. It is desirable that you should keep an exact journal of what shall pass between yourselves and the court or their negotiator, and communicate it from time to time to me, that your progress and prospects may be known. You will be the best judges whether to send your letters by Lisbon, Cadiz, or what other route; but we shall be anxious to hear from you as often as possible. If no safe conveyance occurs from Madrid to Lisbon, and your matter should be of importance sufficient to justify the expense, a courier must be sent; but do not incur the expense unless it be to answer some good end.

I have the honor to be, with great and sincere esteem, Gentlemen, your most obedient, and most humble servant.

TO WILLIAM SHORT, ESQ.

PHILADELPHIA, March 18, 1792.

SIR,—You will receive herewith a commission appointing Mr. Carmichael and yourself joint commissioners plenipotentiary for treating on the subject therein expressed with the Court of Madrid; to which place it is necessary of course that you repair. The instructions and other papers accompanying the commission, (and of which no duplicate is hazarded,) leave nothing to be added here but to express the desire that this object be pursued immediately. It is hoped that in consequence of my former letter you will have made the necessary arrangements for

Digitized by Google

an immediate departure on your receipt of this. You will of course apprise the Court at the Hague in the most respectful and friendly manner, that matters of high moment committed to you, oblige you to a temporary absence. You will then be pleased to proceed by such route as you think best to Madrid, taking care to furnish yourself from the representative of Spain at the Hague, or Paris, with such letters or passports as may ensure your papers from being taken out of your possession, or searched. You will judge from existing circumstances whether, when you approach the limits of Spain, it may not be prudent for you to ascertain previously that you will be permitted to pass unsearched. When arrived at Madrid, the other papers before mentioned mark out the line to be pursued. I am, with great and sincere esteem, Sir, your most obedient, and most humble servant.

TO WILLIAM SHORT.

PHILADELPHIA, March 18, 1792.

MY DEAR SIR,—I shall not repeat in this private dispatch anything said in the public ones sent herewith. I have avoided saying in them what you are to do, when the business you go on shall be finished or become desperate, because I hope to hear what you wish. It is decided that Carmichael will be permitted to come away at that precise epoch, so you need have no delicacy on that subject, if you chose

Digitized by Google

to remain there in your present grade. I become more and more satisfied that the Legislature will refuse the money for continuing any *diplomatic* character at the Hague. I hope you will consider success in the object you go on, as the most important one of your life: that you will meditate the matter day and night, and make yourself thoroughly master of it, in every possible form they may force you to discuss it. A former letter has apprised you of my private intentions at the close of the present federal cycle. My successor and his dispositions are equally unknown. The administration may change then in other of its parts. It is essential that this business be completed before any idea of these things get abroad. Otherwise Spain may delay in hopes of a change of consuls here. It will be a great comfort to leave this business safely and amicably settled, which has so long and immediately threatened our peace. Gardoqui will probably be the negotiator on their part. No attentions should be spared towards him, or the Count Florida Blanca. Let what will be said or done, preserve your *sang froid* immovably, and to every obstacle, oppose patience, perseverance, and soothing language. Pardon my sermonizing; it proceeds from the interest I feel in this business, and in your success. It will be well that you examine with the most minute attention all the circumstances which may enable you to judge and communicate to us whether the situation of Spain admits her to go to war.

Digitized by Google

The failure of some stock gamblers and some other circumstances, have brought the public paper low. The 6 per cents have fallen from 26 to 21¼, and bank stock from 115 or 120 to 73 or 74, within two or three weeks. This nefarious business is becoming more and more the public detestation, and cannot fail, when the knowledge of it shall be sufficiently extended, to tumble its authors headlong from their heights. Money is leaving the remoter parts of the Union, and flowing to this place to purchase paper; and here, a paper medium supplying its place, it is shipped off in exchange for luxuries. The value of property is necessarily falling in the places left bare of money. In Virginia, for instance, property has fallen 25 per cent. in the last twelve months. I wish to God you had some person who could dispose of your paper at a judicious moment for you, and invest it in good lands. I would do anything my duty would permit, but were I to advise your agent (who is himself a stock dealer) to sell out yours at this or that moment, it would be used as a signal to guide speculations. There can never be a fear but that the paper which represents the public debt will be ever sacredly good. The public faith is bound for this, and no change of system will ever be permitted to touch this; but no other paper stands on ground, equally sure. I am glad therefore that yours is all of this kind.

Some bishop of Spain, who was for some time in Mexico, found there copies of Cortez's correspondence,

Digitized by Google

made many efforts to get this book, but in vain. I must beg of you to procure it for me while there. It is not many years since it was published. I am, with constant and sincere attachment, dear Sir, your affectionate friend and servant.

TO MESSRS. DE VIAR AND DE JAUDENES.

PHILADELPHIA, March 23, 1792.

GENTLEMEN,—I have the honor to inform you that a commission has been issued to Mr. Carmichael and Mr. Short, as commissioners plenipotentiary for the United States, to confer, treat, and negotiate with any person or persons duly authorized by his Catholic Majesty, of and concerning the navigation of the river Mississippi, and such other matters relative to the confines of their territories, and the intercourse to be had thereon, as the mutual interests and general harmony of neighboring and friendly nations require should be precisely adjusted and regulated, and of and concerning the general commerce between the United States and the kingdom and dominions of his Catholic Majesty; and to conclude and sign a treaty or treaties, convention or conventions thereon, saving as usual the right of ratification, which commission is already on its way to Mr. Short, whom it will find at the Hague, and who is desired immediately to proceed to Madrid. I expect his route will be by Bordeaux, and thence

Digitized by Google

across the Pyrenees by the usual road. Might I hope your application to your court to send a passport and proper orders to their officers, where he must first enter the kingdom, to protect his passage into and through the kingdom, in order to prevent loss of time, which would be incurred by his waiting there till he could ask and receive a passport from Madrid? With the sincerest wishes that the matters not yet settled between the two countries may be so adjusted as to give a free course to that conduct on both sides which an unity of interest evidently prescribes, and with sentiments of perfect esteem and respect for yourselves, I have the honor to be, Gentlemen, your most obedient, and most humble servant.

TO COLONEL PICKERING.

PHILADELPHIA, March 28, 1792.

SIR,—The President has desired me to confer with you on the proposition I made the other day, of endeavoring to move the posts at the rate of one hundred miles a day. It is believed to be practicable here, because it is practised in every other country. The difference of expense alone appeared to produce doubts with you on the subject. If you have no engagement for dinner to-day, and will do me the favor to come and dine with me, we will be entirely alone, and it will give us time to go over the matter and weigh it thoroughly. I will, in that case, ask

Digitized by Google

the favor of you to furnish yourself with such notes as may ascertain the present expense of the posts, for one day in the week, to Boston and Richmond, and enable us to calculate the savings which may be made by availing ourselves of the stages. Be pleased to observe that the stages travel all the day. There seems nothing necessary for us then, but to hand the mail along through the night till it may fall in with another stage the next day, if motives of economy should oblige us to be thus attentive to small savings. If a little latitude of expense can be allowed, I should be for only using the stages the first day, and then have our riders. I am anxious that the thing should be begun by way of experiment, for a short distance, because I believe it will so increase the income of the post-office as to show we may go through with it. I shall hope to see you at three o'clock.

I am, with great esteem, Sir, your most obedient humble servant.

TO GEORGE HAMMOND.

PHILADELPHIA, March 31, 1792.

SIR,—I received yesterday your favor of the day before, and immediately laid it before the President of the United States. I have it in charge from him to express to you the perfect satisfaction which these assurances on the part of your court have given him, that Bowles, who is the subject of them, is an unau-

Digitized by Google

thorized impostor. The promptitude of their disavowal of what their candor had forbidden him to credit, is a new proof of their friendly dispositions, and a fresh incitement to us to cherish corresponding sentiments. To these we are led both by interest and inclination, and I am authorized to assure you that no occasion will be omitted on our part, of manifesting their sincerity. I have the honor to be, with sentiments of the most perfect esteem and respect, Sir, your most obedient, and most humble servant.

TO GOVERNOR PINCKNEY.

PHILADELPHIA, April 1, 1792.

SIR,—Your letter of January the 8th to the President of the United States, having been referred to me, I have given the subject of it as mature consideration as I am able. Two neighboring and free governments, with laws equally mild and just, would find no difficulty in forming a convention for the interchange of fugitive criminals. Nor would two neighboring despotic governments, with laws of equal severity. The latter wish that no door should be opened to their subjects flying from the oppression of their laws. The fact is, that most of the governments on the continent of Europe have such conventions; but England, the only free one till lately, has never yet consented either to enter into a convention for this purpose, or to give up a fugitive. The diffi-

Digitized by Google

culty between a free government and a despotic one, is indeed great. I have the honor to enclose to your Excellency a sketch of the considerations which occurred to me on the subject, and which I laid before the President. He has, in consequence, instructed me to prepare a project of a convention, to be proposed to the court of Madrid, which I have accordingly done, and now enclose a copy of it. I wish it may appear to you satisfactory. Against property we may hope it would be effectual; whilst it leaves a door open to life and liberty except in a single unquestionable case. Messrs. Carmichael and Short will be instructed to make this one of the subjects of their negotiation with the court of Spain.

I have the honor to be, with sentiments of the most perfect esteem and respect, your Excellency's most obedient, and most humble servant.

TO THE COMMISSIONERS OF WASHINGTON.

PHILADELPHIA, April 9, 1792.

GENTLEMEN,—In a former letter I enclosed you an idea of Mr. Lee's for an immediate appropriation of a number of lots to raise a sum of money for erecting a national monument in the city of Washington. It was scarcely to be doubted but that you would avoid appropriations for matters of ornament till a sufficient sum should be secured out of the proceeds of your sales to accomplish the public buildings, bridges and other such objects as are essential. Mr.

Digitized by Google

Caracchi, the artist, who had proposed to execute the monument, has had hopes that a subscription set on foot for that purpose, would have sufficed to effect it. That hope is now over, and he is about to return to Europe. He is unquestionably an artist of the first class. He has had the advantage of taking the model of the President's person in plaster, equal to every wish in resemblance and spirit. It is pretty certain that the equestrian statue of the President can never be executed by an equal workman, who has had equal advantages, and the question is whether a prudent caution will permit you to enter into any engagement now, taking time enough before the term of payment to have accomplished the more material objects of the public buildings, etc. He says to execute the equestrian statue, with the cost of the materials, in marble, will be worth 20,000 guineas; that he would begin it on his return, if four or five years hence you can engage to pay him 20,000 dollars, and the same sum annually afterwards, till the whole is paid, before which time the statue shall be ready. It is rather probable that within some time Congress would take it off your hands, in compliance with an ancient vote of that body. The questions for your considerations are, whether, supposing no difficulty as to the means, you think such a work might be undertaken by you? Whether you can have so much confidence in the productiveness of your funds as to engage for a residuum of this amount, all more necessary objects being first secured, and that this

Digitized by Google

fine, which will preponderate in your minds, the hazard of undertaking this now, or that of losing the aid of this artist? The nature of this proposition will satisfy you that it has not been communicated to the President, and of course would not be, unless a previous acceptance on your part, should render it necessary to obtain his sanction. Your answer is necessary for the satisfaction of Mr. Caracchi, at whose instance I submit the proposal to you, and who, I believe, will only wait here the return of that answer. I have the honor to be, with the most perfect esteem, Gentlemen, your most obedient, and most humble servant.

TO COLONEL NICHOLAS LEWIS.

PHILADELPHIA, April 12, 1792.

DEAR SIR,—Unremitting business must be my apology, as it is really the true one, for my having been longer without writing to you than my affections dictated. I am never a day without wishing myself with you, and more and more as the fine sunshine comes on, which was made for all the world but me. Congress will rise about the 21st. They have passed the Representation bill at one for thirty-three thousand, which gives to Virginia nineteen members. They have voted an army of five thousand men, and the President has given the command to General Wayne, with four brigadiers, to wit, Morgan, Brooks,

Digitized by Google

Willet and Wilkinson. Congress is now engaged on the ways and means of raising money to pay this army. A further assumption of State debt has been proposed by the Secretary of the Treasury, which has been rejected by a small majority; but the chickens of the treasury have so many contrivances, and are so indefatigable within doors and without, that we all fear they will get it in yet some way or other. As the doctrine is that a public debt is a public blessing, so they think a perpetual one is a perpetual blessing, and therefore wish to make it so large that we can never pay it off. Your friend and servant.

TO THE PRESIDENT OF THE UNITED STATES.

PHILADELPHIA, April 13, 1792.

SIR,—I have the honor to lay before you a communication from Mr. Hammond, Minister Plenipotentiary of his Britannic Majesty, covering a clause of a statute of that country relative to its commerce with us, and notifying a determination to carry it into execution henceforward. Conceiving that the determination announced could not be really meant as extensively as the words import, I asked and received an explanation from the minister, as expressed in the letter and answer herein enclosed; and on consideration of all circumstances, I cannot but confide in the opinion expressed by him, that its sole object is to exclude foreign vessels from the

Digitized by Google

portion between the motives expressed and the measure, its magnitude and consequences, total silence as to the proclamation on which the intercourse between the two countries has hitherto hung, and of which, in this broad sense, it would be a revocation, and the recent manifestations of the disposition of that government to concur with this in mutual offices of friendship and good will, support his construction. The minister, moreover, assured me verbally, that he would immediately write to his court for an explanation, and in the meantime, is of opinion that the usual intercourse of commerce between the two countries (Jersey and Guernsey excepted) need not be suspended.

I have the honor to be, with sentiments of the most profound respect and attachment, Sir, your most obedient, and most humble servant.

TO MESSRS. CARMICHAEL AND SHORT.

PHILADELPHIA, April 24, 1792.

GENTLEMEN,—My letter of March the 18th, conveyed to you full powers for treating with Spain on the subjects therein expressed. Since that, our attention has been drawn to the case of fugitive debtors and criminals, whereon it is always well that coterminous States should understand one another, as far as their ideas on the rightful powers of government can be made to go together. Where they sepa-

Digitized by Google

late, the cases may be left unprovided for. The enclosed paper, approved by the President, will explain to you how far we can go, in an agreement with Spain *for her territories bordering on us;* and the plan of a convention is there stated. You are desired to propose the matter to that court, and establish with them so much of it as they approve, filling up the blank for the manner of the demand by us and compliance with them, in such a way, as their laws and the organization of their government may require. But recollect that they bound on us between two and three thousand miles, and consequently, that they should authorize a delivery by some description of officers to be found on every inhabitable part of their border. We have thought it best to agree, specially, the manner of proceeding *in our country*, on a demand of theirs, because the convention will in that way execute itself, without the necessity of a new law for the purpose. Your general powers being comprehensive enough to take in this subject, no new ones are issued.

I have the honor to be, with great respect, Gentlemen, your most obedient, and most humble servant.

[The annexed are the papers referred to in the preceding.]

Project of a convention with the Spanish provinces.

Any person having committed murder or malice prepense, not of the nature of treason, within the

Digitized by Google

United States or the Spanish provinces adjoining thereto, and fleeing from the justice of the country, shall be delivered up by the government where he shall be found, to that from which he fled, whenever demanded by the same.

The manner of the demand by the Spanish government, and of the compliance by that of the United States, shall be as follows. The person authorized by the Spanish government where the murder was committed, to pursue the fugitive, may apply to any justice of the Supreme Court of the United States, or to the district judge of the place where the fugitive is, exhibiting proof on oath that a murder has been committed by the said fugitive within the said government, who shall thereon issue his warrant to the marshal or deputy marshal of the same place, to arrest the fugitive and have him before the said district judge; or the said pursuer may apply to such marshal or deputy marshal directly, who, on exhibition of proof as aforesaid, shall thereupon arrest the fugitive, and carry him before the said district judge; and when before him in either way, he shall within not less than —— days, nor more than ——, hold a special court of inquiry, causing a grand jury to be summoned thereto, and charging them to inquire whether the fugitive hath committed a murder, not of the nature of treason, within the province demanding him, and on their finding a true bill, the judge shall order the officer in whose custody the fugitive is, to deliver him over to the person authorized as

Digitized by Google

aforesaid to receive him, and shall give such further authorities to aid the said person in safe keeping and conveying the said fugitive to the limits of the United States, as shall be necessary and within his powers; and his powers shall expressly extend to command the aid of *posse* of every district through which the said fugitive is to be carried. And the said justices, judges and other officers, shall use in the premises the same process and proceedings, *mutatis mutandis*, and govern themselves by the same principles and rules of law, as in cases of murder committed on the high seas.

And the manner of demand by the United States and of compliance by the Spanish government, shall be as follows. The person authorized by a justice of the Supreme Court of the United States, or by the district judge where the murder was committed, to pursue the fugitive, may apply to ———

Evidence on oath, though written and *ex parte*, shall have the same weight with the judge and grand jury in the preceding cases, as if the same had been given before them orally and in presence of the prisoner.

The courts of justice of the said States and provinces, shall be reciprocally open for the demand and recovery of debts due to any person inhabiting the one, from any person fled therefrom and found in the other, in like manner as they are open to their own citizens; likewise, for the recovery of the property, or the value thereof, carried away from any

Digitized by Google

person inhabiting the one, by any person fled therefrom and found in the other, which carrying away shall give a right of civil action, whether the fugitive came to the original possession lawfully or unlawfully, even feloniously; likewise, for the recovery of damages sustained by any forgery committed by such fugitive. And the same provision shall hold in favor of the representatives of the original creditor or sufferer, and against the representatives of the original debtor, carrier away or forger; also, in favor of either government or of corporations, as of natural persons. But in no case, shall the person of the defendant be imprisoned for the debt, though the process, whether original, mesne, or final, be for the form sake directed against his person. If the time between the flight and the commencement of the action exceed not —— years, it shall be counted but as one day under any act of limitations.

This convention shall continue in force ——— years from the exchange of ratifications, and shall not extend to anything happening previous to such exchange.

Heads of consideration on the establishment of conventions between the United States and their neighbors, for the mutual delivery of fugitives from justice.

Has a nation a right to punish a person who has not offended itself? Writers on the law of nature agree that it has not. That, on the contrary, exiles

Digitized by Google

and fugitives are, to it, as other strangers, and have a right of residence, unless their presence would be noxious; *e. g.* infectious persons. One writer extends the exception to atrocious criminals, too imminently dangerous to society; namely, to pirates, murderers, and incendiaries. Vattel, L. 1. 5. 233.

The punishment of *piracy* being provided for by our laws, need not be so by convention.

Murder. Agreed that this is one of the extreme crimes justifying a denial of habitation, arrest and re-delivery. It should be carefully restrained by definition to homicide of *malice prepense, and not of the nature of treason.*

Incendiaries, or those guilty of *arson.* This crime is so rare as not to call for extraordinary provision by a convention. The only *rightful* subject then of arrest and delivery, for which we have *need*, is *murder.* Ought we to wish to strain the natural right of arresting and re-delivering fugitives to other cases?

The punishment of all real crimes is certainly desirable, as a security to society; the security is greater in proportion as the chances of avoiding punishment are less. But does the fugitive from his country avoid punishment? He incurs exile, not voluntary, but under a moral necessity as strong as physical. Exile, in some countries, has been the highest punishment allowed by the laws. To most minds it is *next to death;* to many *beyond it.* The fugitive indeed is not of the latter; he must estimate it somewhat *less than death.* It may be said that to *some*, as foreigners, it is no punishment.

Digitized by Google

Answer. These cases are few. Laws are to be made for the mass of cases.

The object of a convention then, in other cases, would be, that the fugitive might not avoid the *difference between exile and the legal punishment of the case.* Now in what case would this *difference* be so important, as to overweigh even the single inconvenience of multiplying compacts?

1. *Treason.* This, when real, merits the highest punishment. But most codes extend their definitions of treason to acts not really against one's country. They do not distinguish between acts against the *government* and acts against the *oppressions of the government;* the latter are virtues; yet they have furnished more victims to the executioner than the former; because real treasons are rare; oppressions frequent. The unsuccessful strugglers against tyranny, have been the chief martyrs of treason laws in all countries.

Reformation of government with *our* neighbors, being as much wanted now as reformation of religion is, or ever was anywhere, we should not wish then, to give up to the executioner, the patriot who fails, and flees to us. Treasons then, taking the *simulated* with the *real,* are sufficiently punished by exile.

2. Crimes against *property;* the punishment in most countries, immensely disproportionate to the crime.

In England and probably in Canada, to steal a horse is death, the first offence; to steal above the

Digitized by Google

value of twelve pence is death, the second offence. All *excess* of punishment is a crime. To remit a fugitive to excessive punishment is to be accessary to the crime. Ought we to wish for the obligation, or the right to do it? Better, on the whole, to consider these crimes as sufficiently punished by the exile.

There is one crime, however, against property, pressed by its consequences into more particular notice, to wit:

Forgery, whether of *coin* or *paper;* and whether paper of *public* or *private* obligation. But the fugitive for forgery is punished by exile and confiscation of the property he leaves; to which add by convention, a civil action against the property he carries or acquires, to the amount of the special damage done by his forgery.

The *carrying away* of the property of another, may also be reasonably made to found a *civil* action. A convention then may include forgery and the carrying away the property of others, under the head of,

3. *Flight from debts.*

To remit the fugitive in this case, would be to remit him in every case. For in the present state of things, it is next to impossible not to owe something. But I see neither injustice nor inconvenience in permitting the fugitive to be sued in our courts. The laws of some countries punishing the unfortunate debtor by perpetual imprisonment, he is right to liberate himself by flight, and it would be wrong to re-imprison him in the country to which he flies.

Digitized by Google

Let all process, therefore, be confined to his property.

Murder, not amounting to treason, being the only case in which the fugitive is to be delivered:

On what *evidence*, and *by whom*, shall he be delivered?

In this country, let any justice of the Supreme Court of the United States, or other judge of the district where the fugitive is found, use the same proceedings as for a murder committed on the high seas, until the *finding* of the "*true bill*" by the grand jury; but evidence on oath from the country demanding him, though in *writing* and *ex parte*, should have the same effect as if delivered *orally* at the *examination*.

A true bill being found by the grand jury, let the officer in whose custody the fugitive is, deliver him to the person charged to demand and receive him.

In the British provinces adjoining us the same proceedings will do.

In the Spanish provinces, a proceeding adapted to the course of their laws should be agreed on.

March 22, 1792.

TO GOUVERNEUR MORRIS.

PHILADELPHIA, April 28, 1792.

DEAR SIR,—My last letter to you was of the 10th of March. The preceding one of January the 23d, had conveyed to you your appointment as Minister

Digitized by Google

Plenipotentiary to the court of France. The present will, I hope, find you there. I now enclose you the correspondence between the Secretary of the Treasury and minister of France, on the subject of the moneys furnished to the distressed of their colonies. You will perceive that the minister chose to leave the adjustment of the terms to be settled at Paris, between yourself and the King's ministers. This you will therefore be pleased to do on this principle; that we wish to avoid any loss by the mode of payment, but would not choose to make a gain which should throw loss on them. But the letters of the Secretary of the Treasury will sufficiently explain the desire of the government, and be a sufficient guide to you.

I now enclose you the act passed by Congress for facilitating the execution of the consular convention with France. In a bill which has passed the House of Representatives for raising moneys for the support of the Indian war, while the duties on every other species of wine are raised from one to three-fourths more than they were, the best wines of France will pay little more than the worst of any other country, to wit, between six and seven cents a bottle; and where this exceeds forty per cent. on their cost, they will pay but the forty per cent. I consider this latter provision as likely to introduce in abundance the cheaper wines of France, and the more so, as the tax on ardent spirits is considerably raised. I hope that these manifestations of friendly

Digitized by Google

dispositions towards that country, will induce them to repeal the very obnoxious laws respecting our commerce, which were passed by the preceding National Assembly. The present session of Congress will pass over, without any other notice of them than the friendly preferences before mentioned. But if these should not produce a retaliation of good on their part, a retaliation of evil must follow on ours. It will be impossible to defer longer than the next session of Congress, some counter regulations for the protection of our navigation and commerce. I must entreat you therefore, to avail yourself of every occasion of friendly remonstrance on this subject. If they wish an equal and cordial treaty with us, we are ready to enter into it. We would wish that this could be the scene of negotiation, from considerations suggested by the nature of our government, which will readily occur to you. Congress will rise on this day sen'night. I enclose you a letter from Mrs. Greene, who asks your aid in getting her son forwarded by the Diligence to London, on his way to America. The letter will explain to you the mode and the means, and the parentage and genius of the young gentleman will insure your aid to him. As this goes by the French packet, I send no newspapers, laws, or other articles of that kind, the postage of which would be high.

I am, with great and sincere esteem, dear Sir, your most obedient, and most humble servant.

Digitized by Google

TO THE PRESIDENT OF THE UNITED STATES.

PHILADELPHIA, May 16, 1792.

DEAR SIR,—The day after your departure, I received from a Mr. Green, a merchant now at New York, through a third person, the following communication: "that he had had very *late* advices from Spain, *by way of the Spanish islands*, to this effect, that war with France was inevitable, that troops were marching from all quarters of the kingdom to the frontiers, and that fifty sail of the line had been commissioned." This was permitted to be mentioned to me, but, for particular reasons, to no other persons. I suppose the particular reasons were some mercantile speculation founded on the intelligence; perhaps it may be to buy up all our flour. We have London news from the 1st of April, and nothing of this is mentioned. I have a letter from Colonel Humphreys of March 18, which says nothing of it. I am in hopes, therefore, the only effect will be to get us a good price for our flour or fish; this being our look out, while the success of the speculation is that of the adventurer. You will recollect that we had learned the death of the Emperor of Morocco, after a battle in which he was victorious. The brother opposed to him, it seems, was killed in the same action, and the one—Muley Islema—who had been so long in the sanctuary, is proclaimed Emperor. He was the best character of the three, and is likely to be peaceable. This infor-

Digitized by Google

mation is from Colonel Humphreys. The Queen of Portugal is still in the same state. Wyllys does not pronounce her curable, though he says there is nothing which indicates the contrary. He has removed from her all her former physicians. Mr. Madison has favored me with some corrections for my letter to Mr. H. It is now in the hands of the Attorney General, and shall then be submitted to Colonel Hamilton. I find that these examinations will retard the delivery of it considerably. However, delay is preferable to error. Mr. Pinckney is engaged in going over such papers of my office as may put him in possession of whatever has passed between us and the court he is going to. I have one hundred olive trees, and some caper plants, arrived here from Marseilles, which I am sending on to Charleston, where, Mr. Pinckney tells me, they have already that number living of those I had before sent them. I have the honor to be, with sentiments of the most perfect respect and attachment, dear Sir, your most obedient, and most humble servant.

TO MESSRS. DE VIAR AND DE JAUDENES.

PHILADELPHIA, May 17, 1792.

GENTLEMEN,—We lately received from Mr. Leagrove, our Indian agent for the Southern Department, a letter, of which the enclosed is an extract, whereby it appeared that a party of the Creek Indians, under the influence of the adventurer

Digitized by Google

Bowles, had meditated some depredations on the Spanish settlements, from which they had been diverted by a friend of our agent, but that their disposition to do injury was, perhaps, not quite extinguished. Sensible how much it is in the power of neighbor nations to contribute to mutual happiness and prosperity, by faithfully using their good offices wherever they can procure the peace and advantage of each other, and feeling a union of interest with Spain in whatever regards the adjacent possessions, we have not hesitated to give general instructions to our agent in that department to cultivate in the Indians the same friendly dispositions towards the Spanish settlements as towards ourselves, and to promote their peace and interest in every case with the same zeal as our own.

I have the honor to enclose you one of those orders, to congratulate you on the intelligence that the leader, who gave occasion to this particular interposition, is no longer in a situation to threaten further danger, and to assure you that, as far as shall depend on us, we will, on every future occasion, sincerely use what influence we may have with the Indians to discountenance and prevent every measure they may meditate against the peace or prosperity of your subjects.

I have the honor to be, with sentiments of the most perfect esteem and respect, Gentlemen, your most obedient, and most humble servant.

Digitized by Google

TO THE PRESIDENT OF THE UNITED STATES.

PHILADELPHIA, May 18, 1792.

DEAR SIR,—Since I wrote you the day before yesterday, I have received a letter of March 25, from Colonel Humphreys, informing me that the Queen of Portugal was considerably better, as also mentioning the death of the Emperor of Germany. What effect this last event will have on the affairs of Europe, cannot be foreseen, the character of the successor being absolutely unknown. He is twenty-four years of age. One would conjecture that, if he has any dispositions to war, he would think a little time necessary to get his election passed in form, to see if the troubles within his dominions quieted by his father, would be likely to break out or not, etc., and that this would hold him back one campaign. Still, this event renders peace less certain, as the character of his father was so decidedly pacific, that one might count on that. There seems to have been a magnificent story current in London for the three or four last days of March, of the capture of Seringapatam and Tippoo Saib, great slaughter, etc.; but, on the 1st of April, the date of the latest paper which the vessel brings (she is from Glasgow), it had died away to a *hum* raised by stock jobbers, who wanted to sell out. It did in fact raise East India stock two or three per cent. Still it was not fallen into entire discredit, as appears by some paragraphs, and consequently cannot be decidedly pronounced untrue.

Digitized by Google

Perhaps the contradiction of it was the counter hum of those who wanted to buy in.

I have the honor to be, with great and sincere respect and attachment, dear Sir, your most obedient, and most humble servant.

TO THE PRESIDENT OF THE UNITED STATES.

PHILADELPHIA, May 23, 1792.

DEAR SIR,—I have determined to make the subject of a letter what for some time past has been a subject of inquietude to my mind, without having found a good occasion of disburthening itself to you in conversation, during the busy scenes which occupied you here. Perhaps, too, you may be able in your present situation, or on the road, to give it more time and reflection than you could do here at any moment.

When you first mentioned to me your purpose of retiring from the government, though I felt all the magnitude of the event, I was in a considerable degree silent. I knew that, to such a mind as yours, persuasion was idle and impertinent; that before forming your decision you had weighed all the reasons for and against the measure, had made up your mind on full view of them, and that there could be little hope of changing the result. Pursuing my reflections, too, I knew we were some day to try to walk alone, and if the essay should be made while you should be alive and looking on, we

Digitized by Google

should derive confidence from that circumstance, and resource, if it failed. The public mind, too, was calm and confident, and therefore in a favorable state for making the experiment. Had no change of circumstances intervened, I should not, with any hopes of success, have now ventured to propose to you a change of purpose. But the public mind is no longer confident and serene; and that from causes in which you are no ways personally mixed. Though these causes have been hackneyed in the public papers in detail, it may not be amiss, in order to calculate the effect they are capable of producing, to take a view of them in the mass, giving to each the form, real or imaginary, under which they have been presented.

It has been urged, then, that a public debt, greater than we can possibly pay, before other causes of adding new debt to it will occur, has been artificially created by adding together the whole amount of the debtor and creditor sides of accounts, instead of only taking their balances, which could have been paid off in a short time: that this accumulation of debt has taken forever out of our power those easy sources of revenue which, applied to the ordinary necessities and exigencies of government, would have answered them habitually, and covered us from habitual murmurings against taxes and tax-gatherers, reserving extraordinary calls for those extraordinary occasions which would animate the people to meet them: that though the calls for

Digitized by Google

money have been no greater than we must expect generally, for the same or equivalent exigencies, yet we are already obliged to strain the impost till it produces clamor, and will produce evasion and war on our own citizens to collect it, and even to resort to an *excise* law of odious character with the people, partial in its operation, unproductive unless enforced by arbitrary and vexatious means, and committing the authority of the government in parts where resistance is most probable and coercion least practicable. They cite propositions in Congress, and suspect other projects on foot still to increase the mass of debt. They say, that by borrowing at two-thirds of the interest, we might have paid off the principal in two-thirds of the time; but that from this we are precluded by its being made irredeemable but in small portions and long terms; that this irredeemable quality was given it for the avowed purpose of inviting its transfer to foreign countries. They predict that this transfer of the principal, when completed, will occasion an exportation of three millions of dollars annually for the interest, a drain of coin, of which, as there has been no examples, no calculation can be made of its consequences: that the banishment of our coin will be complicated by the creation of ten millions of paper money, in the form of bank bills now issuing into circulation. They think the ten or twelve per cent. annual profit paid to the lenders of this paper medium taken out of the pockets of the people,

Digitized by Google

who would have had without interest the coin it is banishing: that all the capital employed in paper speculation is barren and useless, producing, like that on a gaming table, no accession to itself, and is withdrawn from commerce and agriculture, where it would have produced addition to the common mass: that it nourishes in our citizens habits of vice and idleness, instead of industry and morality: that it has furnished effectual means of corrupting such a portion of the legislature as turns the balance between the honest voters, whichever way it is directed: that this corrupt squadron, deciding the voice of the legislature, have manifested their dispositions to get rid of the limitations imposed by the Constitution on the general legislature, limitations, on the faith of which, the States acceded to that instrument: that the ultimate object of all this is to prepare the way for a change from the present republican form of government to that of a monarchy, of which the English Constitution is to be the model: that this was contemplated by the convention is no secret, because its partisans have made more of it. To effect it then was impracticable, but they are still eager after their object, and are predisposing everything for its ultimate attainment. So many of them have got into the Legislature, that, aided by the corrupt squadron of paper dealers, who are at their devotion, they make a majority in both houses. The republican party, who wish to preserve the government in its

Digitized by Google

present form, are fewer in number; they are fewer even when joined by the two, three, or half dozen anti-federalists, who, though they dare not avow it, are still opposed to any General Government; but, being less so to a republican than a monarchical one, they naturally join those whom they think pursuing the lesser evil.

Of all the mischiefs objected to the system of measures before mentioned, none is so afflicting and fatal to every honest hope, as the corruption of the Legislature. As it was the earliest of these measures, it became the instrument for producing the risk, and will be the instrument for producing in future a king, lords and commons, or whatever else those who direct it may choose. Withdrawn such a distance from the eye of their constituents, and these so dispersed as to be inaccessible to public information, and particularly to that of the conduct of their own representatives, they will form the most corrupt government on earth, if the means of their corruption be not prevented. The only hope of safety hangs now on the numerous representation which is to come forward the ensuing year. Some of the new members will be, probably, either in principle or interest, with the present majority; but it is expected that the great mass will form an accession to the republican party. They will not be able to undo all which the two preceding Legislatures, and especially the first, have done. Public faith and right will oppose this. But some parts

Digitized by Google

of the system may be rightfully reformed, a liberation from the rest unremittingly pursued as fast as right will permit, and the door shut in future against similar commitments of the nation. Should the next Legislature take this course, it will draw upon them the whole monarchical and paper interest; but the latter, I think, will not go all lengths with the former, because creditors will never, of their own accord, fly off entirely from their debtors; therefore, this is the alternative least likely to produce convulsion. But should the majority of the new members be still in the same principles with the present, and show that we have nothing to expect but a continuance of the same practices, it is not easy to conjecture what would be the result, nor what means would be resorted to for correction of the evil. True wisdom would direct that they should be temperate and peaceable; but the division of sentiment and interest happens unfortunately to be so geographical, that no mortal can say that what is most wise and temperate would prevail against what is most easy and obvious? I can scarcely contemplate a more incalculable evil than the breaking of the Union into two or more parts. Yet when we consider the mass which opposed the original coalescence; when we consider that it lay chiefly in the Southern quarter; that the Legislature have availed themselves of no occasion of allaying it, but on the contrary, whenever Northern and Southern prejudices have come into conflict,

Digitized by Google

the latter have been sacrificed and the former soothed; that the owners of the debt are in the Southern, and the holders of it in the Northern division; that the anti-federal champions are now strengthened in argument by the fulfillment of their predictions; that this has been brought about by the monarchical federalists themselves, who, having been for the new government merely as a stepping stone to monarchy, have themselves adopted the very constructions of the Constitution, of which, when advocating its acceptance before the tribunal of the people, they declared it unsusceptible; that the republican federalists who espoused the same government for its intrinsic merits, are disarmed of their weapons; that which they denied as prophecy, having now become true history, who can be sure that these things may not proselyte the small number which was wanting to place the majority on the other side? And this is the event at which I tremble, and to prevent which I consider your continuing at the head of affairs as of the last importance. The confidence of the whole Union is centred in you. Your being at the helm will be more than an answer to every argument which can be used to alarm and lead the people in any quarter, into violence and secession. North and South will hang together if they have you to hang on; and if the first correction of a numerous representation should fail in its effect, your presence will give time for trying others, not inconsistent with the union and peace of the States.

Digitized by Google

I am perfectly aware of the oppression under which your present office lays your mind, and of the ardor with which you pant for domestic life. But there is sometimes an eminence of character on which society have such peculiar claims as to control the predilections of the individual for a particular walk of happiness, and restrain him to that alone arising from the present and future benedictions of mankind. This seems to be your condition, and the law imposed on you by providence in forming your character, and fashioning the events on which it was to operate; and it is to motives like these, and not to personal anxieties of mine or others who have no right to call on you for sacrifices, that I appeal, and urge a revisal of it, on the ground of change in the aspect of things. Should an honest majority result from the new and enlarged representation; should those acquiesce whose principles or interest they may control, your wishes for retirement would be gratified with less danger, as soon as that shall be manifest, without awaiting the completion of the second period of four years. One or two sessions will determine the crisis; and I cannot but hope that you can resolve to add more to the many years you have already sacrificed to the good of mankind.

The fear of suspicion that any selfish motive of continuance in office may enter into this solicitation on my part, obliges me to declare that no such motive exists. It is a thing of mere indifference

Digitized by Google

to the public whether I retain or relinquish my purpose of closing my tour with the first periodical renovation of the government. I know my own measure too well to suppose that my services contribute anything to the public confidence, or the public utility. Multitudes can fill the office in which you have been pleased to place me, as much to their advantage and satisfaction. I have, therefore, no motive to consult but my own inclination, which is bent irresistibly on the tranquil enjoyment of my family, my farm and my books. I should repose among them, it is true, in far greater security, if I were to know that you remained at the watch; and I hope it will be so. To the inducements urged from a view of our domestic affairs, I will add a bare mention, of what indeed need only to be mentioned, that weighty motives for your continuance are to be found in our foreign affairs. I think it probable that both the Spanish and English negotiations, if not completed before your purpose is known, will be suspended from the moment it is known, and that the latter nation will then use double diligence in fomenting the Indian War. With my wishes for the future, I shall at the same time express my gratitude for the past, at least my portion in it; and beg permission to follow you, whether in public or private life, with those sentiments of sincere attachment and respect, with which I am unalterably, dear Sir, your affectionate friend and humble servant.

Digitized by Google

CIRCULAR TO THE AMERICAN CONSULS.

PHILADELPHIA, May 31, 1792.

SIR,—Congress having closed their session on the 8th instant, I have now the honor to forward you a copy of the laws passed thereat. One of these, chapter twenty-four, will require your particular attention, as it contains such regulations relative to the consular office, as it has been thought proper to establish legislatively.

With respect to the security required by the sixth section, I would prefer persons residing within the United States, where the party can procure such to be his security. In this case, his own bond duly executed may be sent to me, and his sureties here may enter into a separate bond. Where the party cannot conveniently find sureties within the United States, my distance and want of means of knowing their sufficiency, oblige me to refer him to the minister or chargé des affaires of the United States, within the same government, if there be one, and if not, then to the minister of the United States, resident at Paris. The securities which they shall approve, will be admitted as good. In like manner, the account for their disbursements, authorized by this law (and no other can be allowed), are to be settled at stated periods with the minister or chargé within their residence, if there be one, if none, then with the minister of the United States at Paris. The person who settles the account is authorized

Digitized by Google

to pay it. Our consuls in America are not meant to be included in these directions as to securityship and the settlement of their accounts, as their situation gives them a more convenient communication with me. It is also recommended to the consuls to keep an ordinary correspondence with the minister or chargé to whom they are thus referred; but it would be also useful, if they could forward directly to me, from time to time, the prices current of their place, and any other circumstance which it might be interesting to make known to our merchants without delay.

The prices of our funds have undergone some variations within the last three months. The six per cents were pushed by gambling adventurers up to twenty-six and a half, or twenty-seven and a half shillings the pound. A bankruptcy having taken place among these, and considerably affected the more respectable part of the paper holders, a greater quantity of paper was thrown suddenly on the market than there was demand or money to take up. The prices fell to nineteen shillings. This crisis has passed, and they are getting up towards their value. Though the price of public paper is considered as the barometer of the public credit, it is truly so only as to the general average of prices. The real credit of the United States depends on their ability, and the immutability of their will to pay their debts. These were as evident when their paper fell to nineteen shillings, as when it was at twenty-seven

Digitized by Google

shillings. The momentary variation was like that in the price of corn, or any other commodity, the result of a momentary disproportion between the demand and supply.

The unsuccessful issue of our expedition against the savages the last year, is not unknown to you. More adequate preparations are making for the present year, and in the meantime, some of the tribes have accepted peace, and others have expressed a readiness to do the same.

Another plentiful year has been added to those which had preceded it, and the present bids fair to be equally so. A prosperity built on the basis of agriculture is that which is most desirable to us, because to the efforts of labor it adds the efforts of a greater proportion of soil. The checks, however, which the commercial regulations of Europe have given to the sale of our produce, have produced a very considerable degree of domestic manufacture, which, so far as it is of the household kind, will doubtless continue, and so far as it is more public, will depend on the continuance or discontinuance of the European policy.

I am, with great esteem, Sir, your most obedient humble servant.

Digitized by Google

TO JOHN PAUL JONES.

PHILADELPHIA, June 1, 1792.

SIR,—The President of the United States having thought proper to appoint you commissioner for treating with the Dey and government of Algiers, on the subjects of peace and ransom of our captives, I have the honor to enclose you the commission, of which Mr. Thomas Pinckney, now on his way to London as our Minister Plenipotentiary there, will be the bearer. Supposing that there exists a disposition to thwart our negotiations with the Algerines, and that this would be very practicable, we have thought it advisable that the knowledge of this appointment should rest with the President, Mr. Pinckney and myself; for which reason you will perceive, that the commissions are all in my own handwriting. For the same reason, entire secrecy is recommended to you, and that you so cover from the public your departure and destination, as that they may not be conjectured or noticed; and at the same time, that you set out after as short delay as your affairs will possibly permit.

In order to enable you to enter on this business with full information, it will be necessary to give you a history of what has passed.

On the 25th of July, 1785, the schooner Maria, Captain Stevens, belonging to a Mr. Foster, of Boston, was taken off Cape St. Vincents, by an Algerine cruiser; and five days afterwards, the ship

Digitized by Google

Dauphin, Captain O'Bryan, belonging to Messrs. Irwins, of Philadelphia, was taken by another, about fifty leagues westward of Lisbon. These vessels, with their cargoes and crews, twenty-one persons in number, were carried into Algiers. Mr. John Lambe, appointed agent for treating of peace between the United States and the government of Algiers, was ready to set out from France on that business, when Mr. Adams and myself heard of these two captures. The ransom of prisoners being a case not existing when our powers were prepared, no provision had been made for it. We thought, however, we ought to endeavor to ransom our countrymen, without waiting for orders; but at the same time, that acting without authority, we should keep within the lowest price which had been given by any other nation. We therefore gave a supplementary instruction to Mr. Lambe to ransom our captives, if it could be done for two hundred dollars a man, as we knew that three hundred French captives had been just ransomed by the Mathurins, at a price very little above this sum. He proceeded to Algiers; but his mission proved fruitless. He wrote us word from thence, that the Dey asked fifty-nine thousand four hundred and ninety-six dollars for the twenty-one captives, and that it was not probable he would abate much from that price. But he never intimated an idea of agreeing to give it. As he has never settled the accounts of his mission, no further information has been received. It has

Digitized by Google

been said that he entered into a positive stipulation with the Dey, to pay for the prisoners the price above mentioned, or something near it; and that he came away with an assurance to return with the money. We cannot believe the fact true; and if it were, we disavow it totally, as far beyond his powers. We have never disavowed it formally, because it has never come to our knowledge with any degree of certainty.

In February, 1787, I wrote to Congress to ask leave to employ the Mathurins of France in ransoming our captives; and on the 19th of September, I received their orders to do so, and to call for the money from our bankers at Amsterdam, as soon as it could be furnished. It was long before they could furnish the money, and as soon as they notified that they could, the business was put into train by the General of the Mathurins, not with the appearance of acting for the United States, or with their knowledge, but merely on the usual ground of charity. This expedient was rendered abortive by the revolution of France, the derangement of ecclesiastical orders there and the revocation of church property, before any proposition, perhaps, had been made in form by the Mathurins to the Dey of Algiers. I have some reason to believe that Mr. Eustace, while in Spain, endeavored to engage the court of Spain to employ their Mathurins in this business; but whether they actually moved in it or not, I have never learned.

Digitized by Google

We have also been told, that a Mr. Simpson of Gibraltar, by the direction of the Messrs. Bulkeleys of Lisbon, contracted for the ransom of our prisoners (then reduced by death and ransom to fourteen) at thirty-four thousand seven hundred and ninety-two dollars. By whose orders they did it, we could never learn. I have suspected it was some association in London, which, finding the prices far above their conception, did not go through with their purpose, which probably had been merely a philanthropic one. Be this as it may, it was without our authority or knowledge.

Again, Mr. Cathalan, our consul at Marseilles, without any instruction from the government, and actuated merely, as we presume, by willingness to do something agreeable, set on foot another negotiation for their redemption; which ended in nothing.

These several volunteer interferences, though undertaken with good intentions, run directly counter to our plan; which was, to avoid the appearance of any purpose on our part ever to ransom our captives, and by that semblance of neglect, to reduce the demands of the Algerines to such a price, as might make it hereafter less their interest to pursue our citizens than any others. On the contrary, they have supposed all these propositions directly or indirectly came from us; they inferred from thence the greatest anxiety on our part, where we had been endeavoring to make them suppose there was none; kept up their demands for our

Digitized by Google

captives at the highest prices ever paid by any nation; and thus these charitable, though unauthorized interpositions, have had the double effect of strengthening the chains they were meant to break, and making us at last set a much higher rate of ransom for our citizens, present and future, than we probably should have obtained, if we had been left alone to do our own work in our own way. Thus stands this business then at present. A formal bargain, as I am informed, being registered in the books of the former Dey, on the part of the Bulkeleys of Lisbon, which they suppose to be obligatory on us, but which is to be utterly disavowed, as having never been authorized by us, nor its source even known to us.

In 1790, this subject was laid before Congress fully, and at the late session, moneys have been provided, and authority given to proceed to the ransom of our captive citizens at Algiers, provided it shall not exceed a given sum, and provided also, a peace shall be previously negotiated within certain limits of expense. And in consequence of these proceedings, your mission has been decided on by the President.

Since, then, no *ransom* is to take place without a *peace*, you will of course take up first the negotiation of peace; or, if you find it better that peace and ransom should be treated of together, you will take care that no agreement for the latter be concluded, unless the former be established before or in the same instant.

Digitized by Google

As to the conditions, it is understood that no peace can be made with that government, but for a larger sum of money to be paid at once for the whole time of its duration, or for a smaller one to be annually paid. The former plan we entirely refuse, and adopt the latter. We have also understood that peace might be bought cheaper with naval stores than with money; but we will not furnish them with naval stores, because we think it not right to furnish them means which we know they will employ to do wrong, and because there might be no economy in it as to ourselves, in the end, as it would increase the expenses of that coercion which we may in future be obliged to practise towards them. The only question then, is, what sum of *money* will we agree to pay them *annually*, for peace? By a letter from Captain O'Bryan, a copy of which you will receive herewith, we have his opinion that a peace could be purchased with *money*, for sixty thousand pounds sterling, or with *naval stores*, for one hundred thousand dollars. An annual payment equivalent to the first, would be three thousand pounds sterling, or thirteen thousand and five hundred dollars, the interest of the sum in gross. If we could obtain it for as small a sum as the second, in *money*, the annual payment equivalent to it would be five thousand dollars. In another part of the same letter, Captain O'Bryan says, "if maritime stores and two light cruisers be given, and a tribute paid in maritime stores every two

Digitized by Google

years, amounting to twelve thousand dollars in America," a peace can be had. The gift of stores and cruisers here supposed, converted into an annual equivalent, may be stated at nine thousand dollars, and adding to it half the biennial sum, would make fifteen thousand dollars, to be annually paid. You will, of course, use your best endeavors to get it at the lowest sum practicable; whereupon I shall only say, that we should be pleased with ten thousand dollars, contented with fifteen thousand, think twenty thousand a very hard bargain, yet go as far as twenty-five thousand, if it be impossible to get it for less; but not a copper further, this being fixed by law as the utmost limit. These are meant as annual sums. If you can put off the first annual payment to the end of the first year, you may employ any sum not exceeding that, in presents to be paid down; but if the first payment is to be made in hand, that and the presents cannot by law exceed twenty-five thousand dollars.

And here we meet a difficulty, arising from the small degree of information we have respecting the Barbary States. Tunis is said to be tributary to Algiers. But whether the effect of this be, that peace being made with Algiers, is of course with the Tunisians without separate treaty, or separate price, is what we know not. If it be possible to have it placed on this footing, so much the better. In any event, it will be necessary to stipulate with Algiers, that her influence be interposed as strongly as pos-

Digitized by Google

sible with Tunis, whenever we shall proceed to treat with the latter; which cannot be till information of the event of your negotiation, and another session of Congress.

As to the articles and form of the treaty in general, our treaty with Morocco was so well digested that I enclose you a copy of that, to be the model with Algiers, as nearly as it can be obtained, only inserting the clause with respect to Tunis.

The ransom of the captives is next to be considered. They are now thirteen in number; to wit, Richard O'Bryan and Isaac Stevens, captains, Andrew Montgomery and Alexander Forsyth, mates, Jacob Tessanier, a French passenger, William Patterson, Philip Sloan, Peleg Lorin, James Hall, James Cathcart, George Smith, John Gregory, James Hermit, seamen. It has been a fixed principle with Congress, to establish the rate of ransom of American captives with the Barbary States at as low a point as possible, that it may not be the interest of those States to go in quest of our citizens in preference to those of other countries. Had it not been for the danger it would have brought on the residue of our seamen, by exciting the cupidity of those rovers against them, our citizens now in Algiers would have been long ago redeemed, without regard to price. The mere money for this particular redemption neither has been, nor is, an object with anybody here. It is from the same regard to the safety of our seamen at large, that they have now restrained us from

Digitized by Google

any ransom unaccompanied with peace. This being secured, we are led to consent to terms of ransom, to which, otherwise, our government never would have consented; that is to say, to the terms stated by Captain O'Bryan in the following passage of the same letter: "By giving the minister of the marine (the present Dey's favorite) the sum of one thousand sequins, I would stake my life that we would be ransomed for thirteen thousand sequins, and all expenses included." Extravagant as this sum is, we will, under the security of peace in future, go so far; not doubting, at the same time, that you will obtain it as much lower as possible, and not indeed without a hope that a lower ransom will be practicable, from the assurances given us in other letters from Captain O'Bryan, that prices are likely to be abated by the present Dey, and particularly with us, towards whom he has been represented as well disposed. You will consider this sum, therefore, say twenty-seven thousand dollars, as your ultimate limit, including ransom, duties, and gratifications of every kind.

As soon as the ransom is completed, you will be pleased to have the captives well clothed and sent home at the expense of the United States, with as much economy as will consist with their reasonable comfort. It is thought best, that Mr. Pinckney, our minister at London, should be the confidential channel of communication between us. He is enabled to answer your drafts for money within

Digitized by Google

the limits before expressed; and as this will be by re-drawing on Amsterdam, you must settle with him the number of days *after sight*, at which your bills shall be payable in London, so as to give him time, in the meanwhile, to draw the money from Amsterdam.

We shall be anxious to know as soon and as often as possible, your prospects in these negotiations. You will receive herewith a cypher, which will enable you to make them with safety. London and Lisbon (where Colonel Humphreys will forward my letters) will be the safest and best ports of communication. I also enclose two separate commissions, for the objects of peace and ransom. To these is added a commission to you as consul for the United States, at Algiers, on the possibility that it might be useful for you to remain there till the ratification of the treaties shall be returned from hence; though you are not to delay till their return the sending the captives home, nor the necessary payments of money within the limits before prescribed. Should you be willing to remain there, even after the completion of the business, as consul for the United States, you will be free to do so, giving me notice, that no other nomination may be made. These commissions, being issued during the recess of the Senate, are in force, by the Constitution, only till the next session of the Senate. But their renewal then is so much a matter of course and of necessity, that you may consider that as

Digitized by Google

certain, and proceed without any interruption. I have not mentioned this in the commissions, because it is in all cases surplusage, and because it might be difficult of explanation to those to whom you are addressed.

The allowance for all your expenses and time (exclusive of the ransom, price of peace, duties, presents, maintenance and transportation of the captives) is at the rate of two thousand dollars a year, to commence from the day on which you shall set out for Algiers, from whatever place you may take your departure. The particular objects of peace and ransom once out of the way, the two thousand dollars annually are to go in satisfaction of time, services, and expenses of every kind, whether you act as consul or commissioner.

As the duration of this peace cannot be counted on with certainty, and we look forward to the necessity of coercion by cruises on their coast, to be kept up during the whole of their cruising season, you will be pleased to inform yourself, as minutely as possible, of every circumstance which may influence or guide us in undertaking and conducting such an operation, making your communications by safe opportunities.

I must recommend to your particular notice, Captain O'Bryan, one of the captives, from whom we have received a great deal of useful information. The zeal which he has displayed under the trying circumstances of his present situation, has been

Digitized by Google

very distinguished. You will find him intimately acquainted with the manner in which, and characters with whom business is to be done there, and perhaps he may be an useful instrument to you, especially in the outset of your undertaking, which will require the utmost caution and the best information. He will be able to give you the characters of the European consuls there, though you will, probably, not think it prudent to repose confidence in any of them.

Should you be able successfully to accomplish the objects of your mission in time to convey notice of it to us as early as possible during the next session of Congress, which meets in the beginning of November and rises the 4th of March, it would have a very pleasant effect.

I am, with great esteem, Sir, your most obedient, and most humble servant.

TO JAMES MADISON.

PHILADELPHIA, June 4, 1792.

DEAR SIR,—I wrote you on the 1st inst., which I will call No. 1, and number my letters in future that you may know when any are missing. Mr. Hammond has given me an answer in writing, saying, he must send my letter to his court and wait their instructions. On this I desired a personal interview, that we might consider the matter together in a familiar way. He came accordingly,

Digitized by Google

yesterday, and took a solo dinner with me, during which our conversation was full, unreserved, and of a nature to inspire mutual confidence. The result was that he acknowledged explicitly that his country had hitherto heard one side of the question only, and that from prejudiced persons, that it was now for the first time discussed, that it was placed on entirely new ground, his court having no idea of a charge of first infractions on them, and a justification on that ground of what had been done by our States, that this made it quite a new case to which no instructions he had could apply. He found, from my expressions, that I had entertained an idea of his being able to give an order to the Governor of Canada to deliver up the posts, and smiled at the idea; and it was evident from his conversation that it had not at all entered into the expectations of his court that they were to deliver up the posts. He did not say so expressly, but he said that they considered the retaining of the posts as a very imperfect compensation for the losses their subjects had sustained; under the cover of the clause of the treaty which admits them to the navigation of the Mississippi, and the evident mistake of the negotiators in supposing that a line due west from the Lake of the Woods would strike the Mississippi, he supposes an explanatory convention necessary, and showed a desire that such a slice of our Northwestern Territory might be cut off for them as would admit them to the navigation

Digitized by Google

and profit of the Mississippi, etc., etc. He expects he can have his final instructions by the meeting of Congress. I have not yet had the conversation mentioned in my last. Do you remember that you were to leave me a list of names? Pray send them to me. My only view is that, if the P. asks me for a list of particulars, I may enumerate names to him, without naming my authority, and show him that I had not been speaking merely at random. If we do not have our conversation before, I can make a comparative table of the debts and numbers of all modern nations. I will show him how high we stand indebted by the poll in that table. I omitted Hammond's admission that the debt from the Potomac North might be considered as liquidated, that that of Virginia was now the only great object, and cause of anxiety, amounting to two millions sterling. Adieu. Yours affectionately.

TO THOMAS BARCLAY, ESQUIRE.

PHILADELPHIA, June 11, 1792.

SIR,—Congress having furnished me with means for procuring peace, and ransoming our captive citizens from the government of Algiers, I have thought it best, while you are engaged at Morocco, to appoint Admiral Jones to proceed to Algiers, and therefore have sent him a commission for establishing peace, another for the ransom of our captives, and a third to act there as consul for the

Digitized by Google

United States, and full instructions are given in a letter from the Secretary of State to him, of all which papers, Mr. Pinckney, now proceeding to London as our Minister Plenipotentiary there, is the bearer, as he is also of this letter. It is some time, however, since we have heard of Admiral Jones, and as in the event of any accident to him, it might occasion an injurious delay, were the business to await new commissions from hence, I have thought it best in such an event, that Mr. Pinckney should forward to you all the papers addressed to Admiral Jones, with this letter, signed by myself, giving you authority on receipt of those papers, to consider them addressed to you, and to proceed under them in every respect as if your name stood in each of them in the place of that of John Paul Jones. You will of course finish the business of your mission to Morocco with all the dispatch practicable, and then proceed to Algiers on that hereby confided to you, where this letter, with the commissions addressed to Admiral Jones, and an explanation of circumstances, will doubtless procure you credit as acting in the name and on the behalf of the United States, and more especially when you shall efficaciously prove your authority by the fact of making on the spot, the payments you shall stipulate. With full confidence in the prudence and integrity with which you will fulfill the objects of the present mission, I give to this letter the effect of a commission and full powers, by hereunto

Digitized by Google

subscribing my name, this eleventh day of June, one thousand seven hundred and ninety-two.

TO THOMAS PINCKNEY.

PHILADELPHIA, June 11, 1792.

DEAR SIR,—I have already had the honor of delivering to you your commission as Minister Plenipotentiary of the United States at the court of London, and have now that of enclosing your letter of credence to the King, sealed, and a copy of it open for your own information. Mr. Adams, your predecessor, seemed to understand, on his being presented to that court, that a letter was expected for the Queen also. You will be pleased to inform yourself whether the custom of that court requires this from us: and to enable you to comply with it, if it should, I enclose a letter sealed for the Queen, and a copy of it open for your own information. Should its delivery not be requisite you will be so good as to return it, as we do not wish to set a precedent which may bind us hereafter to a single unnecessary ceremony. To you, Sir, it will be unnecessary to undertake a general delineation of the duties of the office to which you are appointed. I shall therefore only express a desire that they be constantly exercised in that spirit of sincere friendship which we bear to the English nation, and that in all transactions with the minister, his good dispositions be conciliated by whatever in language

Digitized by Google

or attentions may tend to that effect. With respect to their government, or policy, as concerning themselves or other nations, we wish not to intermeddle in word or deed, and that it be not understood that our government permits itself to entertain either a will or opinion on the subject.

I particularly recommend to you, as the most important of your charges, the patronage of our commerce, and its liberation from embarrassments in all the British dominions; but most especially in the West Indies. Our consuls in Great Britain and Ireland are under general instructions to correspond with you, as you will perceive by a copy of a circular letter lately written to them, and now enclosed. From them you may often receive interesting information. Mr. Joshua Johnson is consul for us at London, James Maury, at Liverpool, Elias Vanderhorst, at Bristol, Thomas Auldjo, vice-consul at Pool (resident at Cowes), and William Knox, consul at Dublin. The jurisdiction of each is exclusive and independent and extends to all places within the same allegiance nearer to him than to the residence of any other consul or vice-consul of the United States. The settlement of their accounts from time to time, and the payment of them, are referred to you, and in this, the act respecting consuls and any other laws made, or to be made, are to be your guide. Charges which these do not authorize, you will be pleased not to allow. These accounts are to be settled up to the

Digitized by Google

first day of July in every year, and to be transmitted to the Secretary of State.

The peculiar custom in England, of impressing seamen on every appearance of war, will occasionally expose our seamen to peculiar oppressions and vexations. These will require your most active exertions and protection, which we know cannot be effectual without incurring considerable expense; and as no law has as yet provided for this, we think it fairer to take the risk of it on the executive than to leave it on your shoulders. You will, therefore, with all due economy, and on the best vouchers the nature of the case will admit, meet those expenses, transmitting an account of them to the Secretary of State, to be communicated to the Legislature. It will be expedient that you take proper opportunities in the meantime, of conferring with the minister on this subject, in order to form some arrangement for the protection of our seamen on those occasions. We entirely reject the mode which was the subject of a conversation between Mr. Morris and him, which was, that our seamen should always carry about them certificates of their citizenship. This is a condition never yet submitted to by any nation, one with which seamen would never have the precaution to comply; the casualties of their calling would expose them to the constant destruction or loss of this paper evidence, and thus, the British government would be armed with *legal authority* to impress the whole of

Digitized by Google

our seamen. The simplest rule will be, that the vessel being American, shall be evidence that the seamen on board her are such. If they apprehend that our vessels might thus become asylums for the fugitives of their own nation from impress-gangs, the number of men to be protected by a vessel may be limited by her tonnage, and one or two officers only be permitted to enter the vessel in order to examine the numbers on board; but no press-gang should be allowed ever to go on board an American vessel, till after it shall be found that there are more than their stipulated number on board, nor till after the master shall have refused to deliver the supernumeraries (to be named by himself) to the press-officer who has come on board for that purpose; and even then, the American consul should be called in. In order to urge a settlement of this point, before a new occasion may arise, it may not be amiss to draw their attention to the peculiar irritation excited on the last occasion, and the difficulty of avoiding our making immediate reprisals on their seamen here. You will be so good as to communicate to me what shall pass on this subject, and it may be made an article of convention, to be entered into either there or here.

You will receive herewith a copy of the journals of the ancient Congress, and of the laws, journals and reports of the present. Those for the future, with gazettes and other interesting papers, shall be sent you from time to time; and I shall leave

Digitized by Google

you generally to the gazettes, for whatever information is in possession of the public, and shall especially undertake to communicate by letter, such only relative to the business of your mission as the gazetteers cannot give. From you I ask, once or twice a month, a communication of interesting occurrences in England, of the general affairs of Europe, the court gazette, the best paper in the interest of the ministry and the best of the opposition party, most particularly, that one of each which shall give the best account of the debates of parliament, the parliamentary register annually, and such other political publications as may be important enough to be read by one who can spare little time to read anything, or which may contain matter proper to be kept and turned to, on interesting subjects and occasions. The English packet is the most certain channel for such epistolary communications as are not very secret, and intermediate occasions by private vessels may be resorted to for secret communications, and for such as would come too expensively burthened with postage, by the packets. You are furnished with a cypher for greater secrecy of communication. To the papers before mentioned, I must desire you to add the Leyden gazette, paper by paper as it comes out, by the first vessel sailing after its receipt.

I enclose you the papers in the case of a Mr. Wilson, ruined by the capture of his vessel, after the term limited by the armistice. They will

Digitized by Google

inform you of the circumstances of his case, and where you may find him personally, and I recommend his case to your particular representations to the British court. It is possible that other similar cases may be transmitted to you. You have already received some letters of Mr. Adams' explanations of the principles of the armistice, and of what had passed between him and the British minister on the subject.

Mr. Greene, of Rhode Island, will deliver you his papers, and I am to desire that you may patronize his claims so far as shall be just and right, leaving to himself and his agent to follow up the minute details of solicitation, and coming forward yourself only when there shall be proper occasion for you to do so in the name of your nation.

Mr. Cutting has a claim against the government, vouchers for which he is to procure from England. As you are acquainted with the circumstances of it, I have only to desire that you will satisfy yourself as to the facts relative thereto, the evidence of which cannot be transmitted, and that you will communicate the same to me, that justice may be done between the public and the claimant.

We shall have occasion to ask your assistance in procuring a workman or two for our mint; but this shall be the subject of a separate letter, after I shall have received more particular explanations from the director of the mint.

I have the honor to be, with great and sincere

Digitized by Google

esteem, dear Sir, your most obedient, and most humble servant.

TO THOMAS PINCKNEY.

PHILADELPHIA, June 11, 1792.

SIR,—The letter I have addressed to Admiral Jones, of which you have had the perusal, has informed you of the mission with which the President has thought proper to charge him at Algiers, and how far your agency is desired for conveying to him the several papers, for receiving and paying his drafts to the amount therein permitted, by re-drawing yourself on our bankers in Amsterdam who are instructed to honor your bills, and by acting as a channel of correspondence between us. It has been some time, however, since we have heard of Admiral Jones. Should any accident have happened to his life, or should you be unable to learn where he is, or should distance, refusal to act, or any other circumstance deprive us of his services on this occasion, or be likely to produce too great a delay, of which you are to be the judge, you will then be pleased to send all the papers confided to you for him, to Mr. Thomas Barclay, our consul at Morocco, with the letter addressed to him, which is delivered you open, and by which you will perceive that he is, in that event, substituted to every intent and purpose in the place of Admiral Jones. You will be pleased not to pass any of the papers

Digitized by Google

confided to you on this business, through any post office.

I have the honor to be, with great and sincere esteem, Sir, your most obedient humble servant.

TO THOMAS PINCKNEY.

PHILADELPHIA, June 14, 1792.

SIR,—The United States being now about to establish a mint, it becomes necessary to ask your assistance in procuring persons to carry on some parts of it; and to enable you to give it, you must be apprised of some facts.

Congress, some time ago, authorized the President to take measures for procuring some artists from any place where they were to be had. It was known that a Mr. Drost, a Swiss, had made an improvement in the method of coining, and some specimens of his coinage were exhibited here, which were superior to anything we had ever seen. Mr. Short was, therefore, authorized to engage Drost to come over, to erect the proper machinery, and instruct persons to go on with the coinage; and as he supposed this would require about a year, we agreed to give him a thousand louis a year and his expenses. The agreement was made, two coining mills, or screws, were ordered by him; but in the end, he declined coming. We have reason to believe he was drawn off by the English East India Company, and that he is now at work for them in

Digitized by Google

England. Mr. Bolton had also made a proposition to coin for us in England, which was declined. Since this, the act has been passed for establishing our mint, which authorizes, among other things, the employment of an assayer at fifteen hundred dollars a year, a chief coiner at the same, and an engraver at twelve hundred dollars. But it admits of the employment of one person, both as engraver and chief coiner; this we expect may be done, as we presume that any engraver who has been used to work for a coinage, must be well enough acquainted with all the operations of coinage to direct them; and it is an economy worth attention, if we can have the services performed by one officer instead of two, in which case, it is proposed to give him the salary of the chief coiner, that is to say, fifteen hundred dollars a year. I have, therefore, to request that you will endeavor, on your arrival in Europe, to engage and send us an assayer of approved skill and well-attested integrity, and a chief coiner and engraver, in one person, if possible, acquainted with all the improvements in coining, and particularly those of Drost and Bolton. Their salaries may commence from the day of their sailing for America. If Drost be in England, I think he will feel himself under some obligation to aid you in procuring persons. How far Bolton will do it, seems uncertain. You will, doubtless, make what you can of the good dispositions of either of these or any other person. Should you find it imprac-

Digitized by Google

ticable to procure an engraver capable of performing the functions of chief coiner also, we must be content that you engage separate characters. Let these persons bring with them all the implements necessary for carrying on the business, except such as you shall think too bulky and easily made here. It would be proper, therefore, that they should consult you as to the necessary implements and their prices, that they may act under your control. The method of your paying for these implements and making reasonable advances to the workmen, shall be the subject of another letter, after the President shall have decided thereon. It should be a part of the agreement of these people, that they will faithfully instruct all persons in their art, whom we shall put under them for that purpose. Your contract with them, may be made for any term not exceeding four years.

I have the honor to be, with great and much esteem, dear Sir, your most obedient, and most humble servant.

P. S. Should you not be able to procure persons of eminent qualifications for their business, in England, it will be proper to open a correspondence with Mr. Morris on the subject, and see whether he cannot get such from France. Next to the obtaining the ablest artists, a very important circumstance is to send them to us as soon as possible.

Digitized by Google

TO GOUVERNEUR MORRIS.

PHILADELPHIA, June 16, 1792.

DEAR SIR,—My last to you was of March the 28th. Yours of April the 6th and 10th came to hand three days ago.

With respect to the particular objects of commerce susceptible of being placed on a better footing, on which you ask my ideas, they will show themselves by the enclosed table of the situation of our commerce with France and England. That with France is stated as it stood at the time I left that country, when the only objects whereon change was still desirable, were those of salted provisions, tobacco and tar, pitch and turpentine. The first was in negotiation when I came away, and was pursued by Mr. Short with prospects of success, till their general tariff so unexpectedly deranged our commerce with them as to other articles. Our commerce with their West Indies had never admitted amelioration during my stay in France. The temper of that period did not allow even the essay, and it was as much as we could do to hold the ground given us by the Marshal de Castries' *Arret*, admitting us to their colonies with salted provisions, etc. As to both these branches of commerce, to wit, with France and her colonies, we have hoped they would pursue their own proposition of arranging them by treaty, and that we could draw that treaty to this place. There is no other where the dependence

Digitized by Google

of their colonies on our States for their prosperity is so obvious as here, nor where their negotiator would feel it so much. But it would be imprudent to leave to the uncertain issue of such a treaty, the re-establishment of our commerce with *France* on the footing on which it was in the beginning of their revolution. That treaty may be long on the anvil; in the meantime, we cannot consent to the late innovations, without taking measures to do justice to our own navigation. This object, therefore, is particularly recommended to you, while you will also be availing yourself of every opportunity which may arise, of benefiting our commerce in any other part. I am in hopes you will have found the moment favorable on your arrival in France, when Monsieur Claviere was in the ministry, and the dispositions of the National Assembly favorable to the ministers. Your cypher has not been sent hitherto, because it required a most confidential channel of conveyance. It is now committed to Mr. Pinckney, who also carries the gazettes, laws, and other public papers for you. We have been long without any vessel going to Havre. Some of the Indian tribes have acceded to terms of peace. The greater part, however, still hold off, and oblige us to pursue more vigorous measures for war. I enclose you an extract from a circular letter to our consuls, by which you will perceive that those in countries where we have no diplomatic representative are desired to settle their accounts annually

Digitized by Google

with the minister of the United States at Paris. This business, I must desire you to undertake. The act concerning consuls will be your guide, and I shall be glad that the first of July be the day to which their accounts shall be annually settled and paid, and that they may be forwarded as soon after that as possible to the office of the Secretary of State, to enter into the general account of his department, which it is necessary he should make up always before the meeting of Congress.

I am, with great and sincere esteem, dear Sir, your most obedient, and most humble servant.

P. S. I have said nothing of our whale oil, because I believe it is on a better footing since the tariff than before.

TO MONSIEUR DE LA FAYETTE.

PHILADELPHIA, June 16, 1792.

Behold you, then, my dear friend, at the head of a great army establishing the liberties of your country against a foreign enemy. May heaven favor your cause, and make you the channel through which it may pour its favors. While you are estimating the monster Aristocracy, and pulling out the teeth and fangs of its associate, Monarchy, a contrary tendency is discovered in some here. A sect has shown itself among us, who declare they espoused our new Constitution not as a good and

Digitized by Google

sufficient thing in itself, but only as a step to an English constitution, the only thing good and sufficient in itself, in their eye. It is happy for us that these are preachers without followers, and that our people are firm and constant in their republican purity. You will wonder to be told that it is from the eastward chiefly that these champions for a king, lords, and commons, come. They get some important associates from New York, and are puffed up by a tribe of Agioteurs which have been hatched in a bed of corruption made up after the model of their beloved England. Too many of these stock-jobbers and king-jobbers have come into our Legislature, or rather too many of our Legislature have become stock-jobbers and king-jobbers. However, the voice of the people is beginning to make itself heard, and will probably cleanse their seats at the ensuing election. The machinations of our old enemies are such as to keep us still at bay with our Indian neighbors. What are you doing for your colonies? They will be lost, if not more effectually succored. Indeed, no future efforts you can make will ever be able to reduce the blacks. All that can be done, in my opinion, will be to compound with them, as has been done formerly in Jamaica. We have been less zealous in aiding them, lest your government should feel any jealousy on our account. But, in truth, we as sincerely wish their restoration and their connection with you, as you do yourselves.

Digitized by Google

We are satisfied that neither your justice nor their distresses will ever again permit their being forced to seek at dear and distant markets those first necessaries of life which they may have at cheaper markets, placed by nature at their door, and formed by her for their support. What is become of Madame de Tessy and Madame de Tott? I have not heard of them since they went to Switzerland. I think they would have done better to have come and reposed under the poplars of Virginia. Pour into their bosoms the warmest effusions of my friendship, and tell them they will be warm and constant unto death. Accept of them also for Madame de La Fayette, and your dear children; but I am forgetting that you are in the field of war, and they I hope in those of peace. Adieu, my dear friend. God bless you all. Yours affectionately.

TO JOEL BARLOW.

PHILADELPHIA, June 20, 1792.

DEAR SIR,—Though I am in hopes you are now on the ocean home-bound, yet I cannot omit the chance of my thanks reaching you, for your "Conspiracy of Kings" and advice to the privileged orders, the second part of which I am in hopes is out by this time. Be assured that your endeavors to bring the trans-Atlantic world into the road of reason, are not without their effect here. Some here are disposed to move retrograde,

Digitized by Google

Interior of Independence Hall

Reproduced from an Old Engraving.

Historic Independence Hall is an unpretentious brick building on Chestnut Street, Philadelphia, erected in the years 1729–1734. The Continental Congress met there in June, 1775, and appointed Washington Commander-in-Chief of the American Army. The Declaration of Independence was adopted there by Congress July 4, 1776. The building is now used chiefly as a museum to preserve Revolutionary and other historical relics, among which may be found furniture, letters, swords, wearing-apparel, etc., once belonging to Washington, Lafayette, Franklin, Hancock, Jefferson and their compatriots. It is the home of the "Liberty Bell" and the authentic portraits of the heroes of the Revolution.

Digitized by Google

Digitized by Google

Digitized by Google

Digitized by Google

and to take their stand in the rear of Europe, now advancing to the high ground of natural right; but of all this your friend Mr. Baldwin gives you information, and doubtless paints to you the indignation with which the heresies of some people here fill us.

This will be conveyed by Mr. Pinckney, an honest, sensible man, and good republican. He goes our Minister Plenipotentiary to London. He will arrive at an interesting moment in Europe. God send that all the nations who join in attacking the liberties of France may end in the attainment of their own. I still hope this will not find you in Europe, and therefore add nothing more than assurances of affectionate esteem from, dear Sir, your sincere friend and servant.

TO PETER CARR.

PHILADELPHIA, June 22, 1792.

DEAR SIR,—I received in due time your favor of May 28, with the notes it contained on the subject of Waste. Your view of the subject, as far as it goes, is perfectly proper. Perhaps, on such a question in this country, where the husbandry is so different, it might be necessary to go further, and inquire whether any difference of this kind should produce a difference in the law. The main objects of the law of waste in England are, 1st, to prevent any disguise of the lands which might lessen the

Digitized by Google

revisioner's evidence of title, such as the change of pasture into arable; 2d, to prevent any deterioration of it, as the cutting down forest, which in England is an injury. So careful is the law there against permitting a deterioration of the land, that though it will permit such improvements *in the same line*, as manuring arable lands, leading water into pasture lands, etc., yet it will not permit improvements *in a different line*, such as erecting buildings, converting pasture into arable, etc., lest this should lead to a deterioration. Hence we might argue in Virginia, that though the cutting down of forest in Virginia is, in our husbandry, rather an improvement generally, yet it is not so always, and therefore it is safer never to admit it. Consequently, there is no reason for adopting different rules of waste here from those established in England.

Your objection to Lord Kaims, that he is too metaphysical, is just, and it is the chief objection to which his writings are liable. It is to be observed also, that though he has given us what should be the system of equity, yet it is not the one actually established, at least not in all its parts. The English Chancellors have gone on from one thing to another without any comprehensive or systematic view of the whole field of equity, and therefore they have sometimes run into inconsistencies and contradictions.

Never fear the want of business. A man who

Digitized by Google

qualifies himself well for his calling, never fails of employment in it. The foundation you will have laid in legal reading, will enable you to take a higher ground than most of your competitors, and even ignorant men can see who it is that is not one of themselves. Go on then with courage, and you will be sure of success; for which be assured no one wishes more ardently, nor has more sincere sentiments of friendship towards you, than, dear Sir, your affectionate friend.

TO MR. VAN BERCKEL.

PHILADELPHIA, July 2, 1792.

SIR,—It was with extreme concern that I learned from your letter of June the 25th, that a violation of the protection due to you as the representative of your nation had been committed, by an officer of this State entering your house and serving therein a process on one of your servants. There could be no question but that this was a breach of privilege; the only one was, how it was to be punished. To ascertain this, I referred your letter to the Attorney General, whose answer I have the honor to enclose you. By this you will perceive, that from the circumstance of your servant's not being registered in the Secretary of State's office, we cannot avail ourselves of the more certain and effectual proceeding which had been provided by an act of Congress

Digitized by Google

for punishing infractions of the law of nations, that act having thought proper to confine the benefit of its provisions to such domestics only, as should have been registered. We are to proceed, therefore, as if that act had never been made, and the Attorney General's letter indicates two modes of proceeding. 1. By a warrant before a single magistrate, to recover the money paid by the servant under a process declared void by law. Herein the servant must be the actor, and the government not intermeddle at all. The smallness of the sum to be re-demanded will place this cause in the class of those in which no appeal to the higher tribunal is permitted, even in the case of manifest error, so that if the magistrate should err, the government has no means of correcting the error. 2. The second mode of proceeding would be, to indict the officer in the Supreme Court of the United States; with whom it would rest to punish him at their discretion, in proportion to the injury done and the malice from which it proceeded; and it would end in punishment alone, and not in a restitution of the money. In this mode of proceeding, the government of the United States is actor, taking the management of the cause into its own hands, and giving you no other trouble than that of bearing witness to such material facts as may not be otherwise supported. You will be so good as to decide in which of these two ways you would choose the proceeding should be; if the latter, I will immedi-

Digitized by Google

ately take measures for having the offender prosecuted according to law.

I have the honor to be, with sentiments of respect, Sir, your most obedient, and most humble servant.

TO HIS EXCELLENCY THE GOVERNOR OF GEORGIA.

PHILADELPHIA, July 3, 1792.

SIR,—I have the honor to enclose to your Excellency, the copy of a letter I have received from his Catholic Majesty's representatives here, in consequence of a complaint from the Governor of Florida, that three inhabitants of the State of Georgia, to wit, Thomas Harrison, David Rees, and William Ewin, had entered the Spanish territory and brought from thence five negro slaves, the property of John Blackwood, a Spanish subject, without his consent, in violation of the rights of that State and the peace of the two countries. I had formerly had the honor of sending you a copy of the convention entered into between the said Governor and Mr. Leagrove, on the part of the United States for the mutual restitution of fugitive slaves: I now take the liberty of requesting your Excellency to inform me what is done, or likely to be done with you for the satisfaction of the Spanish government in this instance. Nobody knows better than your Excellency the importance of restraining individuals from committing the peace and honor of the two nations, and I am persuaded that nothing will be

Digitized by Google

wanting on your part to satisfy the just expectations of the government of Florida on the present occasion. I have the honor to be, with great respect, your Excellency's most obedient, and most humble servant.

TO MESSRS. DE VIAR AND JAUDENES.

PHILADELPHIA, July 9, 1792.

GENTLEMEN,—Information has been received that the government of West Florida has established an agent within the territory of the United States, belonging to the Creek Indians, and it is even pretended that that agent has excited those Indians to oppose the making a boundary between their district and that of the citizens of the United States. The latter is so inconsistent with the dispositions to friendship and good neighborhood which Spain has always expressed towards us, with that concert of interest which would be so advantageous to the two nations, and which we are disposed sincerely to promote, that we find no difficulty in supposing it erroneous. The sending an agent within our limits we presume has been done without the authority or knowledge of your Government. It has certainly been the usage, where one nation has wished to employ agents of any kind within the limits of another, to obtain the permission of that other, and even to regulate by convention and on principles of reciprocity, the functions to be exer-

Digitized by Google

cised by such agents. It is not to a nation whose dominions are circumstanced as those of Spain in our neighborhood, that we need develop the inconveniences of permitting reciprocally the unlicensed mission of agents into the territories of each other. I am persuaded nothing more is necessary than to bring the fact under the notice of your Government in order to its being rectified, which is the object of my addressing you on this occasion; with every assurance that you will make the proper communications on the subject to your court. I have the honor to be, with sentiments of perfect esteem and respect, Gentlemen, your most obedient, and most humble servant.

TO COLONEL DAVID HUMPHREYS.

PHILADELPHIA, July 12, 1792.

DEAR SIR,—We have been very long indeed without any vessel going from this port to Lisbon. This is the reason why I have been so long without acknowledging the receipt of your letters. Your Nos. from 45 to 53 inclusive are received, except No. 52, not yet come to hand. The President set out yesterday for Virginia, and I shall follow him to-morrow. During my absence the public papers will be forwarded to you by every opportunity by Mr. Taylor, with whom this letter is left, as we know of no present opportunity of forwarding it. The State of Vermont has lately taken some decisive

Digitized by Google

step to extend its jurisdiction nearer to the British ports than has hitherto been done. This has produced a complaint from Mr. Hammond. We shall endeavor to keep things quiet, in hopes of voluntary justice from them. We shall probably have no campaign this year against the Indians. There are some hopes they will accept of peace, and the rather as we have never asked anything in return for it. We really wish not to hurt them. I need not repeat occurrences which you will see in the gazettes. I am, with great and sincere esteem, dear Sir, your most obedient, and most humble servant.

TO HIS EXCELLENCY GOVERNOR LEE.

MONTICELLO, August 13, 1792.

SIR,—It was not till yesterday that I was honored with the receipt of yours of July 23d, or it should have been sooner answered. I am of opinion that all communications between nations should pass through the channels of their Executives. However, in the instance of condolence on the death of Dr. Franklin, the letter from our General Government was addressed to the President of the National Assembly; so was a letter from the Legislature of Pennsylvania, containing congratulations on the achievement of liberty to the French nation. I have not heard that, in either instance, their Executive took it amiss that they were not made the

Digitized by Google

channel of communication. Perhaps, therefore, this method may at present be the safest, as it is not quite certain that the sentiments of their executive and legislative are exactly the same on the subject on which you have to address them. I cannot better justify the honor of your consultation than by thus giving you my ideas without reserve, and beg you to be assured of the sentiments of respect and esteem, with which I have the honor to be, your Excellency's most obedient, and most humble servant.

TO MR. PALESKE.

MONTICELLO, August 19, 1792.

SIR,—I have received at this place your favor of the 9th instant, wherein you request, that agreeably to the treaty of commerce between the United States and his Prussian Majesty, his consul general be acknowledged as belonging to a most favored nation; that the privileges and immunities due to a consul general of the most favored nation be granted to his consul general, and that commissioners be appointed to regulate, by particular convention, the functions of the consuls and vice-consuls of the respective nations.

Treaties of the United States duly made and ratified, as is that with his Prussian Majesty, constitute a part of the law of the land, and need only promulgation to oblige all persons to obey them,

Digitized by Google

and to entitle all to those privileges which such treaties confer. That promulgation having taken place, no other act is necessary or proper on the part of our government, according to our rules of proceeding, to give effect to the treaty. This treaty, however, has not specified the privileges or functions of consuls; it has only provided that these "shall be regulated by particular agreement." To the proposition to proceed as speedily as possible to regulate these functions by a convention, my absence from the seat of government does not allow me to give a definitive answer. I know, in general, that it would be agreeable to our government, on account of the recent changes in its form, to suspend for awhile the contracting specific engagements with foreign nations, until something more shall be seen of the direction it will take, and of its mode of operation, in order that our engagements may be so moulded to that, as to insure the exact performance of them which we are desirous ever to observe. Should this be the sentiment of our government on the present occasion, the friendship of his Prussian Majesty is a sufficient reliance to us for that delay which our affairs might require for the present; and the rather, as his vessels are not yet in the habit of seeking our ports, and for the few cases which may occur for some time, our own laws, copied mostly in this respect from those of a very commercial nation, have made the most material of those provisions which could be admitted into a

Digitized by Google

special convention for the protection of vessels, their crews and cargoes, coming hither. We shall on this, however, and every other occasion, do everything we can to manifest our friendship to his Prussian Majesty and our desire to promote commercial intercourse with his subjects; and of this, we hope, he will be fully assured.

I have the honor to be, with great respect, Sir, your most obedient, and most humble servant.

TO THE MINISTER PLENIPOTENTIARY OF FRANCE.

August 27, 1792.

SIR,—Your letter of the 2d instant, informing me that the Legislative body, on the proposition of the King of the French, had declared war against the King of Hungary and Bohemia, has been duly received, and is laid before the President of the United States; and I am authorized to convey to you the expression of the sincere concern we feel on learning that the French nation, to whose friendship and interests we have the strongest attachment, are now to encounter the evils of war. We offer our prayers to Heaven that its duration may be short, and its course marked with as few as may be of those calamities which render the condition of war so afflicting to humanity, and we add assurances that, during its course, we shall continue in the same friendly dispositions, and render all those

Digitized by Google

good offices which shall be consistent with the duties of a neutral nation.

I have the honor to be, with sentiments of the most perfect esteem and respect, Sir, your most obedient, and most humble servant.

TO THE PRESIDENT OF THE UNITED STATES.

MONTICELLO, September 9, 1792.

DEAR SIR,—I received on the 2d instant the letter of August 23d, which you did me the honor to write me; but the immediate return of our post, contrary to his custom, prevented my answer by that occasion. The proceedings of Spain, mentioned in your letter, are really of a complexion to excite uneasiness, and a suspicion that their friendly overtures about the Mississippi, have been merely to lull us while they should be strengthening their holds on that river. Mr. Carmichael's silence has been long my astonishment; and however it might have justified something very different from a new appointment, yet the public interest certainly called for his junction with Mr. Short, as it is impossible but that his knowledge of the ground of negotiation, of persons and characters, must be useful and even necessary to the success of the mission. That Spain and Great Britain may understand one another on our frontiers is very possible; for however opposite their interests or disposition may be in the affairs of Europe, yet while these do not call

Digitized by Google

them into opposite action, they may concur as against us. I consider their keeping an agent in the Indian country as a circumstance which requires serious interference on our part; and I submit to your decision whether it does not furnish a proper occasion to us to send an additional instruction to Messrs. Carmichael and Short to insist on a mutual and formal stipulation to forbear employing agents or pensioning any persons within each other's limits; and if this be refused, to propose the contrary stipulation, to wit, that each party may freely keep agents within the Indian territories of the other, in which case we might soon sicken them of the license.

I now take the liberty of proceeding to that part of your letter wherein you notice the internal dissensions which have taken place within our government, and their disagreeable effect on its movements. That such dissensions have taken place is certain, and even among those who are nearest to you in the administration. To no one have they given deeper concern than myself; to no one equal mortification at being myself a part of them. Though I take to myself no more than my share of the general observations of your letter, yet I am so desirous ever that you should know the whole truth, and believe no more than the truth, that I am glad to seize every occasion of developing to you whatever I do or think relative to the government; and shall, therefore, ask permission to be more lengthy now

Digitized by Google

than the occasion particularly calls for, or could otherwise perhaps justify.

When I embarked in the government, it was with a determination to intermeddle not at all with the Legislature, and as little as possible with my co-departments. The first and only instance of variance from the former part of my resolution, I was duped into by the Secretary of the Treasury, and made a tool for forwarding his schemes, not then sufficiently understood by me; and of all the errors of my political life, this has occasioned me the deepest regret. It has ever been my purpose to explain this to you, when, from being actors on the scene, we shall have become uninterested spectators only. The second part of my resolution has been religiously observed with the War Department; and as to that of the Treasury, has never been further swerved from than by the mere enunciation of my sentiments in conversation, and chiefly among those who, expressing the same sentiments, drew mine from me. If it has been supposed that I have ever intrigued among the members of the Legislature to defeat the plans of the Secretary of the Treasury, it is contrary to all truth. As I never had the desire to influence the members, so neither had I any other means than my friendships, which I valued too highly to risk by usurpation on their freedom of judgment, and the conscientious pursuit of their own sense of duty. That I have utterly, in my private conversations, disapproved of the

Digitized by Google

system of the Secretary of the Treasury, I acknowledge and avow; and this was not merely a speculative difference. His system flowed from principles adverse to liberty, and was calculated to undermine and demolish the Republic, by creating an influence of his department over the members of the Legislature. I saw this influence actually produced, and its first fruits to be the establishment of the great outlines of his project by the votes of the very persons who, having swallowed his bait, were laying themselves out to profit by his plans; and that had these persons withdrawn, as those interested in a question ever should, the vote of the disinterested majority was clearly the reverse of what they made it. These were no longer the votes then of the representatives of the people, but of deserters from the rights and interests of the people; and it was impossible to consider their decisions, which had nothing in view but to enrich themselves, as the measures of the fair majority, which ought always to be respected. If, what was actually doing, begat uneasiness in those who wished for virtuous government, what was further proposed was not less threatening to the friends of the Constitution. For, in a report on the subject of manufactures, (still to be acted on,) it was expressly assumed that the General Government has a right to exercise all powers which may be for the *general welfare*, that is to say, all the legitimate powers of government; since no government has a legitimate right to do

Digitized by Google

what is not for the welfare of the governed. There was, indeed, a sham limitation of the universality of this power *to cases where money is to be employed.* But about what is it that money cannot be employed? Thus the object of these plans, taken together, is to draw all the powers of government into the hands of the general Legislature, to establish means for corrupting a sufficient corps in that Legislature to divide the honest votes, and preponderate, by their own, the scale which suited, and to have the corps under the command of the Secretary of the Treasury, for the purpose of subverting, step by step, the principles of the Constitution which he has so often declared to be a thing of nothing, which must be changed. Such views might have justified something more than mere expressions of dissent, beyond which, nevertheless I never went. Has abstinence from the department, committed to me, been equally observed by him? To say nothing of other interferences equally known, in the case of the two nations, with which we have the most intimate connections, France and England, my system was to give some satisfactory distinctions to the former, of little cost to us, in return for the solid advantages yielded us by them; and to have met the English with some restrictions which might induce them to abate their severities against our commerce. I have always supposed this coincided with your sentiments. Yet the Secretary of the Treasury, by his cabals with members of the Legis-

Digitized by Google

lature, and by high-toned declamations on other occasions, has forced down his own system, which was exactly the reverse. He undertook, of his own authority, the conferences with the ministers of those two nations, and was, on every consultation, provided with some report of a conversation with the one or the other of them, adapted to his views. These views, thus made to prevail, their execution fell, of course, to me; and I can safely appeal to you, who have seen all my letters and proceedings, whether I have not carried them into execution as sincerely as if they had been my own, though I ever considered them as inconsistent with the honor and interest of our country. That they have been inconsistent with our interest is but too fatally proved by the stab to our navigation given by the French. So that if the question be by whose fault is it that Colonel Hamilton and myself have not drawn together? the answer will depend on that to two other questions, whose principles of administration best justify, by their purity, conscientious adherence? and which of us has, notwithstanding, stepped farthest into the control of the department of the other?

To this justification of opinions, expressed in the way of conversation, against the views of Colonel Hamilton, I beg leave to add some notice of his late charges against me in Fenno's Gazette; for neither the style, matter, nor venom of the pieces alluded to, can leave a doubt of their author. Spell-

Digitized by Google

ing my name and character at full length to the public, while he conceals his own under the signature of "An American," he charges me, 1st. With having written letters from Europe to my friends to oppose the present Constitution, while depending. 2d. With a desire of not paying the public debt. 3d. With setting up a paper to decry and slander the government. 1st. The first charge is most false. No man in the United States, I suppose, approved of every tittle in the Constitution: no one, I believe, approved more of it than I did, and more of it was certainly disapproved by my accuser than by me, and of its parts most vitally republican. Of this the few letters I wrote on the subject (not half a dozen I believe) will be a proof; and for my own satisfaction and justification, I must tax you with the reading of them when I return to where they are. You will there see that my objection to the Constitution was, that it wanted a bill of rights securing freedom of religion, freedom of the press, freedom from standing armies, trial by jury, and a constant habeas corpus act. Colonel Hamilton's was, that it wanted a king and house of lords. The sense of America has approved my objection and added the bill of rights, not the king and lords. I also thought a longer term of service, insusceptible of renewal, would have made a President more independent. My country has thought otherwise, I have acquiesced implicitly. He wishes the General Government should have power to make laws

Digitized by Google

binding the States in all cases whatsoever. Our country has thought otherwise: has he acquiesced? Notwithstanding my wish for a bill of rights, my letters strongly urged the adoption of the Constitution, by nine States at least, to secure the good it contained. I at first thought that the best method of securing the bill of rights would be for four States to hold off till such a bill should be agreed to. But the moment I saw Mr. Hancock's proposition to pass the Constitution as it stood, and give perpetual instructions to the representatives of every State to insist on a bill of rights, I acknowledged the superiority of his plan, and advocated universal adoption. 2d. The second charge is equally untrue. My whole correspondence while in France, and every word, letter and act on the subject, since my return, prove that no man is more ardently intent to see the public debt soon and sacredly paid off than I am. This exactly marks the difference between Colonel Hamilton's views and mine, that I would wish the debt paid to-morrow; he wishes it never to be paid, but always to be a thing wherewith to corrupt and manage the Legislature. 3d. I have never enquired what number of sons, relatives and friends of Senators, Representatives, printers or other useful partisans Colonel Hamilton has provided for among the hundred clerks of his department, the thousand excisemen, at his nod, and spread over the Union; nor could ever have imagined that the man who

Digitized by Google

has the shuffling of millions backwards and forwards from paper into money and money into paper, from Europe to America, and America to Europe, the dealing out of treasury secrets among his friends in what time and measure he pleases, and who never slips an occasion of making friends with his means, that such an one, I say, would have brought forward a charge against me for having appointed the poet, Freneau, translating clerk to my office, with a salary of 250 dollars a year. That fact stands thus. While the government was at New York I was applied to on behalf of Freneau to know if there was any place within my department to which he could be appointed. I answered there were but four clerkships, all of which I found full, and continued without any change. When we removed to Philadelphia, Mr. Pintard, the translating clerk, did not choose to remove with us. His office then became vacant. I was again applied to there for Freneau, and had no hesitation to promise the clerkship for him. I cannot recollect whether it was at the same time, or afterwards, that I was told he had a thought of setting up a newspaper there. But whether then, or afterwards, I considered it a circumstance of some value, as it might enable me to do, what I had long wished to have done, that is, to have the material parts of the Leyden Gazette brought under your eye, and that of the public, in order to possess yourself and them of a juster view of the affairs of Europe than could

Digitized by Google

be obtained from any other public source. This I had ineffectually attempted through the press of Mr. Fenno, while in New York, selecting and translating passages myself at first, then having it done by Mr. Pintard, the translating clerk, but they found their way too slowly into Mr. Fenno's papers. Mr. Bache essayed it for me in Philadelphia, but his being a daily paper, did not circulate sufficiently in the other States. He even tried, at my request, the plan of a weekly paper of recapitulation from his daily paper, in hopes that that might go into the other States, but in this too we failed. Freneau, as translating clerk, and the printer of a periodical paper likely to circulate through the States (uniting in one person the parts of Pintard and Fenno), revived my hopes that the thing could at length be effected. On the establishment of his paper, therefore, I furnished him with the Leyden Gazette, with an expression of my wish that he could always translate and publish the material intelligence they contained, and have continued to furnish them from time to time, as regularly as I received them. But as to any other direction or indication of my wish how his press should be conducted, what sort of intelligence he should give, what essays encourage, I can protest, in the presence of heaven, that I never did by myself, or any other, or indirectly, say a syllable, nor attempt any kind of influence. I can further protest, in the same awful presence, that I never did by myself, or any other, directly

Digitized by Google

or indirectly, write, dictate or procure any one sentence or sentiment to be inserted *in his, or any other gazette*, to which my name was not affixed or that of my office. I surely need not except here a thing so foreign to the present subject as a little paragraph about our Algerine captives, which I put once into Fenno's paper. Freneau's proposition to publish a paper, having been about the time that the writings of Publicola, and the discourses on Davila, had a good deal excited the public attention, I took for granted from Freneau's character, which had been marked as that of a good whig, that he would give free place to pieces written against the aristocratical and monarchical principles these papers had inculcated. This having been in my mind, it is likely enough I may have expressed it in conversation with others, though I do not recollect that I did. To Freneau I think I could not, because I had still seen him but once, and that was at a public table, at breakfast, at Mrs. Elsworth's, as I passed through New York the last year. And I can safely declare that my expectations looked only to the chastisement of the aristocratical and monarchical writers, and not to any criticisms on the proceedings of government. Colonel Hamilton can see no motive for any appointment, but that of making a convenient partisan. But you, Sir, who have received from me recommendations of a Rittenhouse, Barlow, Paine, will believe that talents and science are sufficient motives

Digitized by Google

with me in appointments to which they are fitted; and that Freneau, as a man of genius, might find a preference in my eye to be a translating clerk, and make good title to the little aids I could give him as the editor of a gazette, by procuring subscriptions to his paper, as I did some before it appeared, and as I have with pleasure done for the labors of other men of genius. I hold it to be one of the distinguishing excellences of elective over hereditary successions, that the talents which nature has provided in sufficient proportion, should be selected by the society for the government of their affairs, rather than that this should be transmitted through the loins of knaves and fools, passing from the debauches of the table to those of the bed. Colonel Hamilton, alias "Plain Facts," says, that Freneau's salary began before he resided in Philadelphia. I do not know what quibble he may have in reserve on the word "residence." He may mean to include under that idea the removal of his family; for I believe he removed himself, before his family did, to Philadelphia. But no act of mine gave commencement to his salary before he so far took up his abode in Philadelphia, as to be sufficiently in readiness for the duties of the office. As to the merits or demerits of his paper, they certainly concern me not. He and Fenno are rivals for the public favor. The one courts them by flattery, the other by censure, and I believe it will be admitted that the one has been as servile, as the other severe.

Digitized by Google

But is not the dignity, and even decency of government committed, when one of its principal ministers enlists himself as an anonymous writer or paragraphist for either the one or the other of them? No government ought to be without censors; and where the press is free, no one ever will. If virtuous, it need not fear the fair operation of attack and defence. Nature has given to man no other means of sifting out the truth, either in religion, law, or politics. I think it as honorable to the government neither to know, nor notice, its sycophants or censors, as it would be undignified and criminal to pamper the former and persecute the latter. So much for the past, a word now of the future.

When I came into this office, it was with a resolution to retire from it as soon as I could with decency. It pretty early appeared to me that the proper moment would be the first of those epochs at which the Constitution seems to have contemplated a periodical change or renewal of the public servants. In this I was confirmed by your resolution respecting the same period; from which, however, I am happy in hoping you have departed. I look to that period with the longing of a wave-worn mariner, who has at length the land in view, and shall count the days and hours which still lie between me and it. In the meanwhile, my main object will be to wind up the business of my office, avoiding as much as possible all new enterprise. With the affairs of the Legislature, as I never did

Digitized by Google

intermeddle, so I certainly shall not now begin. I am more desirous to predispose everything for the repose to which I am withdrawing, than expose it to be disturbed by newspaper contests. If these, however, cannot be avoided altogether, yet a regard for your quiet will be a sufficient motive for my deferring it till I become merely a private citizen, when the propriety or impropriety of what I may say or do, may fall on myself alone. I may then, too, avoid the charge of misapplying that time which now, belonging to those who employ me, should be wholly devoted to their service. If my own justification, or the interests of the republic shall require it, I reserve to myself the right of then appealing to my country, subscribing my name to whatever I write, and using with freedom and truth the facts and names necessary to place the cause in its just form before that tribunal. To a thorough disregard of the honors and emoluments of office, I join as great a value for the esteem of my countrymen, and conscious of having merited it by an integrity which cannot be reproached, and by an enthusiastic devotion to their rights and liberty, I will not suffer my retirement to be clouded by the slanders of a man whose history, from the moment at which history can stoop to notice him, is a tissue of machinations against the liberty of the country which has not only received and given him bread, but heaped its honors on his head. Still, however, I repeat the hope that it will not be necessary to

Digitized by Google

make such an appeal. Though little known to the people of America, I believe, that as far as I am known, it is not as an enemy to the Republic, nor an intriguer against it, nor a waster of its revenue, nor prostitutor of it to the purposes of corruption, as the "American" represents me; and I confide that yourself are satisfied that as to dissensions in the newspapers, not a syllable of them has ever proceeded from me, and that no cabals or intrigues of mine have produced those in the Legislature, and I hope I may promise both to you and myself, that none will receive aliment from me during the short space I have to remain in office, which will find ample employment in closing the present business of the department.

Observing that letters written at Mount Vernon on the Monday, and arriving at Richmond on the Wednesday, reach me on Saturday, I have now the honor to mention that the 22d instant will be the last of our post days that I shall be here, and consequently that no letter from you after the 17th, will find me here. Soon after that I shall have the honor of receiving at Mount Vernon your orders for Philadelphia, and of there also delivering you the little matter which occurs to me as proper for the opening of Congress, exclusive of what has been recommended in former speeches, and not yet acted on. In the meantime and ever I am, with great and sincere affection and respect, dear Sir, your most obedient, and most humble servant.

Digitized by Google

TO ARCHIBALD STUART, ESQ.

MONTICELLO, September 9, 1792.

DEAR SIR,—I wrote you a long letter from Philadelphia early in the summer, which would not have been worth recurring to, but that I therein asked the favor of you to sound Mr. Henry on the subject you had written to me on, to wit, the amendment of our Constitution, and to find whether he would not approve of the specific amendments therein mentioned, in which case the business would be easy. If you have had any conversation with him on the subject, I will thank you for the result. As I propose to return from my present office at the close of the ensuing session of Congress, and to fix myself once more at home, I begin to feel a more immediate interest in having the Constitution of our country fixed, and in such a form as will ensure a somewhat greater certainty to our laws, liberty and property, the first and last of which are now pretty much afloat, and the second not out of the reach of every enterprise. I set out for Philadelphia about the 20th, and would, therefore, be happy to hear from you before that. I am, with great and sincere esteem, dear Sir, your constant friend and servant.

Digitized by Google

TO CHARLES CLAY.

MONTICELLO, September 11, 1792.

DEAR SIR,—Your favor of August 8th, came duly to hand, and I should with pleasure have done what you therein desired, as I ever should what would serve or oblige you; but from a very early moment of my life I determined never to intermeddle with elections of the people, and have invariably adhered to this determination. In my own county, where there have been so many elections in which my inclinations were enlisted, I yet never interfered. I could the less do it in the present instance, your people so very distant from me, utterly unknown to me, and to whom I am also unknown; and above all, I a stranger, to presume to recommend one who is well known to them. The people could not but put this question to me, "who are you, pray?" In writing the letter to you on the former occasion, I went further than I had ever before done, but that was addressed to yourself to whom I had a right to write, and not to persons either unknown to me, or very capable of judging for themselves. I have so much reliance on your friendship and candor as not to doubt you will approve of my sentiments on this occasion, and be satisfied they flow from considerations respecting myself only, and not you to whom I am happy on every occasion of testifying my esteem. I hope to see you in Bedford about May next, and am with

Digitized by Google

great attachment, dear Sir, your friend and servant.

TO EDMUND RANDOLPH, ESQ.

MONTICELLO, September 17, 1792.

MY DEAR SIR,—The last post brought me your favor of the 26th of August; but it brought me at the same time so much business to be answered by return of post, and which did not admit of delay, that I was obliged to postpone the acknowledgment of yours. I thank you sincerely for what respects myself. Though I see the pen of the Secretary of the Treasury plainly in the attack on me, yet, since he has not chosen to put his name to it, I am not free to notice it as his. I have preserved through life a resolution, set in a very early part of it, never to write in a public paper without subscribing my name, and to engage openly an adversary who does not let himself be seen, is staking all against nothing. The indecency, too, of newspaper squabbling between two public ministers, besides my own sense of it, has drawn something like an injunction from another quarter. Every fact alleged under the signature of "An American" as to myself, is false, and can be proved so; and perhaps will be one day. But for the present, lying and scribbling must be free to those mean enough to deal in them, and in the dark. I should have been setting out to Philadelphia within a day or two; but the addition of a grandson and indisposition of my daughter, will probably

Digitized by Google

detain me here a week longer. My best respects to Mrs. Randolph, and am, with great and sincere esteem, dear Sir, your affectionate friend and servant.

TO THE PRESIDENT OF THE UNITED STATES.

MONTICELLO, September 18, 1792.

DEAR SIR,—Your express is this moment arrived with the Proclamation on the proceedings against the laws for raising a revenue on distilled spirits, and I return it herein enclosed with my signature. I think if, instead of the words "to render laws dictated by weighty reasons of public exigency and policy as acceptable as possible," it stood "to render the laws as acceptable as possible," it would be better. I see no other particular expressions which need alteration. I am sincerely sorry to learn that such proceedings have taken place; and I hope the Proclamation will lead the persons concerned into a regular line of application which may end either in an amendment of the law, if it needs it, or in their conviction that it is right. Your most obedient, and most humble servant.

TO C. C. PINCKNEY, ESQ.

PHILADELPHIA, October 8, 1792.

SIR,—I found on my return here three days ago, your favor of April 6th, and am happy to learn from it that the Agricultural Society has adopted

Digitized by Google

the plan of employing a person at Marseilles to raise and send olive trees to them annually. Their success in South Carolina cannot be doubted, and their value is great. Olive grounds in France rent higher by the acre than those of any other growth in the kingdom, which proves they yield the greatest nett produce. Marseilles is the proper place for your nurseryman to be fixed, because it is the neighborhood of the best olives; and Mr. Cathalan the properest person to whom we can commit the whole superintendence, because he is our consul, is concerned in our commerce, eager to extend it, is a good man, a wealthy one, and has offered his services repeatedly in this business. He was brought up in a counting-house in London, is connected there, and therefore I think that the most convenient place on which to enable him to draw for the expenditures. This may be either by an annual letter of credit to him on some house there for any sum not exceeding fifty guineas, or a standing letter of credit for that annual sum till your further orders. I would advise that he should never be suffered to be in advance for the society, that there may be no motive for his being cool in the business. If you think proper to write to Mr. Cathalan merely to open the correspondence with him, enclosing him a letter of credit, and referring him to me for the mode of conducting the enterprise, I will enclose it to him with proper instructions as to the mode. My reason for this caution is that from my knowl-

Digitized by Google

edge of circumstances, and from what has already passed between him and me, I can fix him at once as to a moderate scale of expense which I know to be sufficient, and which he might transcend under the idea that this is a public enterprise, supported by powerful and wealthy gentlemen. A copy of my letter shall be sent to you, so that you may make any alterations in the plan which may be agreeable to your ideas of the business, in the course of your future correspondence with Mr. Cathalan; and I shall at all future times be ready to do anything further in my power to promote the object. I am happy that while I was in the olive country I enquired for and procured the best book on the subject of the olive tree, which I now deliver to Mr. Smith for the use of the society. I suspect that the excrescence on your olive trees, described in your letter, is what they call the leprosy, which prevails among these plants I believe in every country. I have the honor to be, with great respect and esteem, Sir, your most obedient, and most humble servant.

TO THOMAS PINCKNEY.

PHILADELPHIA, October 12, 1792.

DEAR SIR,—Your favor of August the 7th came to hand on the 6th instant, and gave me the first certain information of your safe arrival. Mr. Otto being about to sail for London, furnishes me with an opportunity of sending the newspapers for yourself

Digitized by Google

and Mr. Barclay, and I avail myself of it chiefly for this purpose, as my late return from Virginia and the vacation of Congress furnishes little new and important for your information. With respect to the Indian war, the summer has been chiefly employed on our part in endeavoring to persuade them to peace, in an abstinence from all offensive operations, in order to give those endeavors a fairer chance, and in preparation for activity the ensuing season, if they fail. I believe we may say these endeavors have all failed, or probably will do so. The year has been rather a favorable one for our agriculture. The crops of small grain were generally good. Early frosts have a good deal shortened those of tobacco and Indian corn, yet not so as to endanger distress. From the south my information is less certain, but from that quarter you will be informed through other channels. I have a pleasure in noting this circumstance to you, because the difference between a plentiful and a scanty crop more than counterpoises the expenses of any campaign. Five or six plentiful years successively, as we have had, have most sensibly ameliorated the condition of our country, and uniform laws of commerce, introduced by our new government, have enabled us to draw the whole benefits of our agriculture.

I enclose you the copy of a letter from Messrs. Blow and Milhaddo, merchants of Virginia, complaining of the taking away of their sailors on the

Digitized by Google

coast of Africa, by the commander of a British armed vessel. So many instances of this kind have happened, that it is quite necessary that their government should explain themselves on the subject, and be led to disavow and punish such conduct. I leave to your discretion to endeavor to obtain this satisfaction by such friendly discussions as may be most likely to produce the desired effect, and secure to our commerce that protection against British violence which it has never experienced from any other nation. No law forbids the seaman of any country to engage in time of peace on board a foreign vessel; no law authorizes such seaman to break his contract, nor the armed vessels of his nation to interpose force for his rescue. I shall be happy to hear soon that Mr. B. has gone on the service on which he was ordered.

I have the honor to be, with great and sincere esteem, dear Sir, your most obedient, and most humble servant.

TO MESSRS. CARMICHAEL AND SHORT.

PHILADELPHIA, October 14, 1792.

GENTLEMEN,—Since my letters of March the 18th and April the 24th (which have been retarded so unfortunately), another subject of conference and convention with Spain has occurred. You know that the frontiers of her provinces, as well as of our States, are inhabited by Indians holding justly the

Digitized by Google

right of occupation, and leaving to Spain and to us only the claim of excluding other nations from among them, and of becoming ourselves the purchasers of such portions of land, from time to time, as they may choose to sell. We have thought, that the dictates of *interest* as well as *humanity*, enjoined mutual endeavors with those Indians to live in peace with both nations, and we have scrupulously observed that conduct. Our agent with the Indians bordering on the territories of Spain, has a standing instruction to use his best endeavors to prevent them from committing acts of hostility against the Spanish settlements. But whatever may have been the conduct or orders of the government of Spain, that of their officers in our neighborhood has been indisputably unfriendly and hostile to us. The papers enclosed will demonstrate this to you. That the Baron de Carondelet, their chief Governor at New Orleans, has excited the Indians to war on us, that he has furnished them with abundance of arms and ammunition, and promised them whatever more shall be necessary, I have from the mouth of him who had it from his own mouth. In short, that he is the sole source of a great and serious war now burst out upon us, and from Indians who, we know, were in peaceable dispositions towards us till prevailed on by him to commence the war, there remains scarcely room to doubt. It has become necessary that we understand the real policy of Spain in this point. You will, therefore, be pleased

Digitized by Google

to extract from the enclosed papers such facts as you think proper to be communicated to that court, and enter into friendly but serious expostulations on the conduct of their officers; for we have equal evidence against the commandants of other posts in West Florida, though they being subordinate to Carondelet, we name him as the source. If they disavow his conduct, we must naturally look to their treatment of him as the sole evidence of their sincerity. But we must look further. It is a general rule, that no nation has a right to keep an agent within the limits of another, without the consent of that other, and we are satisfied it would be best for both Spain and us, to abstain from having agents or other persons in our employ or pay among the savages inhabiting our respective territories, whether as subjects or independent. You are, therefore, desired to propose and press a stipulation to that effect. Should they absolutely decline it, it may be proper to let them perceive that as the right of keeping agents exists on both sides or on neither, it will rest with us to reciprocate their own measures. We confidently hope that these proceedings are unauthorized by the government of Spain, and in this hope, we continue in the dispositions formerly expressed to you, of living on terms of the best friendship and harmony with that country, of making their interests in our neighborhood our own, and of giving them every proof of this, except the abandonment of those essential rights which you are instructed to insist on.

Digitized by Google

I have the honor to be, with great and sincere esteem, Gentlemen, your most obedient, and most humble servant.

TO GOUVERNEUR MORRIS, ESQ.

PHILADELPHIA, October 15, 1792.

SIR,—I have duly received your favor of July 10, No. 4, but no other number preceding or subsequent. I fear, therefore, that some miscarriage has taken place. The present goes to Bordeaux, under cover to Mr. Fenwick, who, I hope, will be able to give it a safe conveyance to you. I observe that you say in your letter, that "the marine department is to treat with you for supplies to St. Domingo." I presume you mean "supplies of *money*," and not that our government is to furnish supplies of *provisions*, specifically, or employ others to do it; this being a business into which they could not enter. The payment of money here, to be employed by their own agents in purchasing the produce of our soil, is a desirable thing. We are informed by the public papers, that the late constitution of France, formally notified to us, is suspended, and a new convention called. During the time of this suspension, and while no legitimate government exists, we apprehend we cannot continue the payments of our debt to France, because there is no person authorized to receive it and to give us an unobjectionable acquittal. You are, therefore, desired to

Digitized by Google

consider the payment as suspended, until further orders. Should circumstances oblige you to mention this (which it is better to avoid if you can), do it with such solid reasons as will occur to yourself, and accompany it with the most friendly declarations that the suspension does not proceed from any wish in us to delay the payment, the contrary being our wish, nor from any desire to embarrass or oppose the settlement of their government in that way in which their nation shall desire it; but from our anxiety to pay this debt justly and honorably, and to the persons really authorized by the nation (to whom we owe it) to receive it for their use. Nor shall this suspension be continued one moment after we can see our way clear out of the difficulty into which their situation has thrown us. That they may speedily obtain liberty, peace, and tranquillity, is our sincere prayer.

The present summer is employed by us in endeavors to persuade the Indians to peace, and to prepare for the ensuing campaign, if our endeavors for peace should fail. That they will fail, we have reason to expect, and consequently that the expenses of our armament are to continue for some time. Another plentiful year added to the several others which we have successively had, is some consolation under these expenses. Very early frosts, indeed, have somewhat shortened the productions of the autumn.

I have the honor to be, with great respect and

Digitized by Google

esteem, dear Sir, your most obedient, and most humble servant.

TO MONSIEUR DE TERNANT.

PHILADELPHIA, October 16, 1792.

SIR,—I am to acknowledge the receipt of your letter of the 9th instant, proposing a stipulation for the abolition of the practice of privateering in times of war. The benevolence of this proposition is worthy of the nation from which it comes, and our sentiments on it have been declared in the treaty to which you are pleased to refer, as well as in some others which have been proposed. There are in those treaties some other principles which would probably meet the approbation of your government, as flowing from the same desire to lessen the occasions and the calamities of war. On all of these, as well as on those amendments to our treaty of commerce which might better its conditions with both nations, and which the National Assembly of France has likewise brought into view on a former occasion, we are ready to enter into negotiation with you, only proposing to take the whole into consideration at once. And while contemplating provisions which look to the event of war, we are happy in feeling a conviction that it is yet at a great distance from us, and in believing that the sentiments of sincere friendship which we bear to the nation of France are reciprocated on their part. Of these our dispositions,

Digitized by Google

be so good as to assure them on this and all other occasions; and to accept yourself those sentiments of esteem and respect with which I have the honor to be, Sir, your most obedient, and most humble servant

---

TO MESSRS. VIAR AND JAUDENES, COMMISSIONERS OF SPAIN.

PHILADELPHIA, November 1, 1792.

GENTLEMEN,—I have now to acknowledge the receipt of your favor of October the 29th, which I have duly laid before the President of the United States; and in answer thereto, I cannot but observe that some parts of its contents were truly unexpected. On what foundation it can be supposed that we have menaced the Creek nation with destruction during the present autumn, or at any other time, is entirely inconceivable. Our endeavors, on the contrary, to keep them at peace, have been earnest, persevering and notorious, and no expense has been spared which might attain that object. With the same views to peace, we have suspended, now more than a twelvemonth, the marking a boundary between them and us, which had been fairly, freely and solemnly established with the chiefs whom they had deputed to treat with us on that subject; we have suspended it, I say, in the constant hope that taking time to consider it in the councils of their nation, and recognizing the justice

Digitized by Google

and reciprocity of its conditions, they would at length freely concur in carrying it into execution. We agree with you, that the interests which either of us have in the proceedings of the other with this nation of Indians, is a proper subject of discussion at the negotiations to be opened at Madrid, and shall accordingly give the same in charge to our commissioners there. In the meantime, we shall continue sincerely to cultivate the peace and prosperity of all the parties, being constant in the opinion, that this conduct, reciprocally observed, will most increase the happiness of all.

I have the honor to be, with sentiments of great esteem and respect, Gentlemen, your most obedient, and most humble servant.

TO THE PRESIDENT OF THE UNITED STATES.

PHILADELPHIA, November 2, 1792.

SIR,—The letter of October the 29th, from Messrs. Viar and Jaudenes, not expressing the principle on which their government interests itself between the United States and the Creeks, I thought it of importance to have it ascertained. I therefore called on those gentlemen, and entered into explanations with them. They assured me, in our conversation, that supposing all question of boundary to be out of the case, they did not imagine their government would think themselves authorized to take under their protection, any nations of Indians

Digitized by Google

living within limits confessed to be ours; and they presumed that any interference of theirs, with respect to the Creeks, could only arise out of the question of disputed territory, now existing between us; that, on this account, some part of our treaty with the Creeks had given dissatisfaction. They said, however, that they were speaking from their own sentiments only, having no instructions which would authorize them to declare those of their court; but that they expected an answer to their letters covering mine of July the 9th, (erroneously cited by them as of the 11th,) from which they would probably know the sentiments of their court. They accorded entirely in the opinion, that it would be better that the two nations should mutually endeavor to preserve each the peace of the other, as well as their own, with the neighboring tribes of Indians.

I shall avail myself of the opportunity by a vessel which is to sail in a few days, of sending proper information and instructions to our commissioners on the subject of the late, as well as of the future, interferences of the Spanish officers to our prejudice with the Indians, and for the establishment of common rules of conduct for the two nations.

I have the honor to be, with the most perfect respect and attachment, Sir, your most obedient, and most humble servant.

Digitized by Google

TO MESSRS. CARMICHAEL AND SHORT.

PHILADELPHIA, November 3, 1792.

GENTLEMEN,—I wrote you on the 14th of last month; since which some other incidents and documents have occurred, bearing relation to the subject of that letter. I therefore now enclose you a duplicate of that letter.

Copy of a letter from the Governor of Georgia, with the deposition it covered of a Mr. Hull, and an original passport, signed by Olivier, wherein he styles himself commissary for his Catholic Majesty with the Creeks.

Copy of a letter from Messrs. Viar and Jaudenes to myself, dated October the 29th, with that of the extract of a letter of September the 24th, from the Baron de Carondelet to them.

Copy of my answer of No. 1, to them, and copy of a letter from myself to the President, stating a conversation with those gentlemen.

From those papers you will find that we have been constantly endeavoring, by every possible means, to keep peace with the Creeks; that in order to do this, we have even suspended and still suspend the running a fair boundary between them and us, as agreed on by themselves, and having for its object the precise definition of their and our lands, so as to prevent encroachment on either side, and that we have constantly endeavored to keep them at peace with the Spanish settlements also; that Spain

Digitized by Google

on the contrary, or at least the officers of her governments, since the arrival of the Baron de Carondelet, have undertaken to keep an agent among the Creeks, have excited them and the other southern Indians to commence a war against us, have furnished them with arms and ammunition for the express purpose of carrying on that war, and prevented the Creeks from running the boundary which would have removed the cause of difference from between us. Messrs. Viar and Jaudenes explain the ground of interference on the fact of the Spanish claim to that territory, and on an article in our treaty with the Creeks, putting themselves under our protection. But besides that you already know the nullity of their pretended claim to the territory, they had themselves set the example of endeavoring to strengthen that claim by the treaty mentioned in the letter of the Baron de Carondelet, and by the employment of an agent among them. The establishment of our boundary, committed to you, will, of course, remove the grounds of all future pretence to interfere with the Indians *within our territory*, and it was to such only that the treaty of New York stipulated protection; for we take for granted, that Spain will be ready to agree to the principle that neither party has a right to stipulate protection or interference with the Indian nations inhabiting the territory of the other. But it is extremely material also, with sincerity and good faith, to patronize the peace of each other with the neigh-

Digitized by Google

boring savages. We are quite disposed to believe that the late wicked excitements to war, have proceeded from the Baron de Carondelet himself, without any authority from his court. But if so, have we not reason to expect the removal of such an officer from our neighborhood, as an evidence of the disavowal of his proceedings? He has produced against us a serious war. He says in his letter, indeed, that he has suspended it. But this he has not done, nor possibly can he do it. The Indians are more easily engaged in a war than withdrawn from it. They have made the attack in force on our frontiers, whether with or without his consent, and will oblige us to a severe punishment of their aggression. We trust that you will be able to settle principles of a friendly concert between us and Spain, with respect to the neighboring Indians; and if not, that you will endeavor to apprize us of what we may expect, that we may no longer be tied up by principles, which, in that case, would be inconsistent with duty and self-preservation

I have the honor to be, with sentiments of perfect esteem and respect, Gentlemen, your most obedient, and most humble servant.

TO THE PRESIDENT OF THE UNITED STATES.

PHILADELPHIA, November 3, 1792.

SIR,—In order to enable you to lay before Congress the account required by law of the application

Digitized by Google

of the moneys appropriated to foreign purposes through the agency of the Department of State, I have now the honor to transmit to you the two statements, Nos. 1 and 2, herein enclosed, comprehending the period of two years preceding the 1st day of July last.

The first statement is of the sums paid from the Treasury under the act allowing the annual fund of $40,000 for the purpose of foreign intercourse, as also under the acts of March 3, 1791, c. 16, and May, 1792, c. 41; 5, 3, allowing other sums for special purposes. By this it will appear, that, except the sum of $500 paid to Colonel Humphreys on his departure, the rest has all been received in bills of exchange, which identical bills have been immediately remitted to Europe, either to those to whom they were due for services, or to the bankers of the United States in Amsterdam, to be paid out by them to persons performing services abroad. This general view has been given in order to transfer the debt of these sums from the Department of State to those to whom they have been delivered.

But in order to give to Congress a view of the specific application of these moneys, the particular accounts rendered by those who have received them, have been analyzed, and the payments made to them have been reduced under general heads, so as to show at one view the amount of the sums which each has received for every distinct species of service or disbursement, as well as their several totals. This is

Digitized by Google

the statement No. 2, and it respects the annual fund of $40,000 only, the special funds of the acts of 1791 and 1792, having been not yet so far administered as to admit of any statement.

I had presented to the Auditor the statement No. 1, with the vouchers, and also the special accounts rendered by the several persons who have received these moneys, but, on consideration, he thought himself not authorized, by any law, to proceed to their examination. I am, therefore, to hope, Sir, that authority may be given to the Auditor, or some other person, to examine the general account and vouchers of the Department of State, as well as to raise special accounts against the persons into whose hands the moneys pass, and to settle the same from time to time on behalf of the public.

I have the honor to be, with sentiments of the most perfect respect and attachment, Sir, your most obedient, and most humble servant.

Dr. THE DEPARTMENT OF STATE IN ACCOUNT WITH THE U. S.

1790 Aug. 14	To a warrant from the Treasury under the Act for foreign intercourse (1790, July 1)	$ 500
Dec. 20	To the Treasurer's Exchange on Will. V. Staph. & Hub. under do. 2475.0=1000.	
	To do. 577-10= 233.33	
1791 Mar. 19	To do. 99,000=	40,000
May 7	To do. under Act of March 3, 1791, c. 16. 32,175=	13,000
1792 Jan. 27	To do. under Act for foreign intercourse 95,947-10=38,766.67	40,000
	99,000=40,000	
June 30	To do. under the Act of 1792, May 8, c. 41, 5, 3. 123,750	50,000
		$143.500

Digitized by Google

Cr.

1790 Aug. 14	By paid Col. Humphreys on his mission to Madrid, (as by his receipt)	$ 500
Dec. 17	By remittance to Mr. G. Morris, (as by his letter, Feb. 26, 91), the bill per contra for 2475 × = $1000	
	By do. to J. B. Cutting, (as by papers given in to Congress,) the bill per contra for 577-10 = $233⅓	
1791 Mar. 19	By do. to Will V. Staphorsts & Hub., (as by their account, June 10, 91,) the bill per contra for 99,000 =	40,000
May 13	By do. to do. subject to Humphreys & Barclay, (as by their receipt,) the bill per contra for 32,175 =	13,000
1792 Jan. 23	By do. to do., (as by their account, April 10, 92), the bill per contra for 95,047 = 38,766⅔	
	99,000 = 40,000	40,000
July 3	By do. to do. subject to J. Pinckney for purposes of Act May 8, 92, the bill per contra for 123,750	50,000
		$143,500

Analyses of the Expenses of the United States for their intercourse with Foreign Nations from July 1, 1790, to July 1, '91, and from July 1, '91, to July 1, '92, taken from the accounts of Messrs. Short, Humphreys, Morris, Pinckney, Willinks, Van Staphorsts, Hubbard, given to the auditor.

1790, July 1— 1791, July 1.	Outfit.	Salary.	Secretary	Postage.	Contingencies, viz., Gazettes, etc., to dept. of state printing, poor seamen, etc.	Total Dollars.
Ordinary,						
Mr. Short		4500.	281.74	72.4	248.96	5,103.10
Col. Humphreys	4500.	1602.73				6,102.73
Mr. Carmichael						3,927.94
Mr. Dumas						1,505.44
						16,639.21
Extraordinary,						
Mission to London					2000.	
" " Amsterdam on the subject of loans					986.18	
" " Madrid					1195.89	
Mr. Cutting special services to American seamen					233.33	4,415.40
Total						21,054.61

Digitized by Google

1791, JULY 1— 1792, JULY 1.	Outfit.	Salary.		Postage.	Contingencies.	Total Dollars.
ORDINARY,						
Mr. Short	4500.	4500.	.....	68.82	.....	9,068.82
Col. Humphreys	.....	4500.	.....	171.	.....	4,671.
Mr. Carmichael	.....	.....	.....	.....	.....	4,512.20
Mr. Dumas	.....	.....	.....	.....	.....	1,528.32
Mr. Morris	9000.	1500.	.....	.....	.....	10,500.
Mr. Pinckney	9000.	1800.	.....	.....	.....	10,800.
						41,080.34
EXTRAORDINARY,						
Mission to Amsterdam on subject of loans					444.43	
" " Madrid					320.	
Dyes for medals as presents to foreign ministers taking leave, and medals					1586.32	2,350.75
Total						43,431.09

Thomas Jefferson having had the honor at different times heretofore of giving to the President *conjectural* estimate of expenses of our foreign establishment, has that of now laying before him, in page 1 of the enclosed paper, a statement of the whole amount of the foreign fund from the commencement to the expiration of the act, which will be on the 3d March next, with the *actual* expenses to the 1st of July last, and the *conjectural* ones from thence through the remaining eight months, and the balance which will probably remain.

Page 2, shows the probable annual expense of our present establishment, and its excess above the funds allowed, and in another column the *reduced* establishment necessary and most proper to bring it within the limits of the funds supposing it should be continued.

NOVEMBER 5, 1792.

Digitized by Google

Estimate of the funds of $40,000 for foreign intercourse and its application.

1790, July 1, to 1791, July 1, a year's appropriation	$40,000	
1791, July 1, to 1792, July 1, a year's appropriation	40,000	
1792, July 1, to 1793, March 3d, being 8 1-10 months	27,000	
		$107,000
1790, July 1, to 1791, July 1, actual expenses incurred	$21,054.00	
1791, July 1, to 1792, July 2, actual expenses incurred	43,431.09	
1792, July 1, to 1793, March 3d, the probable expenses may be about	26,300.00	
Surplus unexpended will be about	16,214.91	
		$107,000

NOVEMBER 5, 1792.

Estimate of the ordinary expense of the different diplomatic grades annually.

A MINISTER PLENIPOTIARY.		A RESIDENT.		AGENT.	
Outfit 1-7 of $9,000.	1,285.71	Outfit 1-7 of $4,500.	642.85	Salary	1,300
Salary	9,000.	Salary	4,500.	Extras	350
Secretary	1,350.				$1,650
Extras	350.	Extras	350.		
Return 1-7 of $2,250	321.42	Returns 1-7 of $1,125	160.71	Medals to foreign ministers, suppose 5 to be kept here and changed once in 7 years, will be about $654.06 annually.	
	$12,307.13		$5,653.56		

TO SUPPORT THE PRESENT ESTABLISHMENT, WOULD REQUIRE		A REDUCTION OF THE ESTABLISHMENT TO BRING IT WITHIN THE LIMITS OF $40,000.	
For Paris, Minister Plenipot'y.	$12,307.13	For Paris, Minister Plenipot'y.	$12,307.13
London	12,307.13	London	12,307.13
Madrid, Resident	5,653.56	Madrid, a Resident	5,653.56
Lisbon	5,653.56	Lisbon	5,653.56
Hague	5,653.56	Hague, an Agent	1,650.
Medals to foreign ministers.	654.06.	Medals to ministers	654.06
	$42,229.54	Surplus	1,774.02
			$40,000.00

NOVEMBER 5, 1792.

GENTLEMEN OF THE SENATE,—According to the directions of the law, I now lay before you a statement of the administration of the funds appropriated to certain foreign purposes, together with a letter from the Secretary of State, explaining the same.

NOVEMBER 5, 1792.

Digitized by Google

TO THE MAYOR, MUNICIPAL OFFICERS AND PROCUREUR OF THE COMMUNITY OF MARSEILLES.

PHILADELPHIA, November 6, 1792.

GENTLEMEN,—Your letter of the 24th of August, is just now received by the President of the United States, and I have it in charge from him to communicate to you the particular satisfaction he feels at the expressions of fraternity towards our nation therein contained, to assure you that he desires sincerely the most speedy relief to France from her general difficulties, and will be happy to be instrumental in removing the special ones of the city of Marseilles in particular, by encouraging supplies of wheat and flour to be sent thither. Our harvest having been plentiful, our merchants would of course feel sufficient inducements, in the assurances you give of a ready sale and good price, were it not for the apprehensions of the Barbary cruisers. Certain arrangements for a Convoy, and the time, place, and manner of getting under its protection, would remove these apprehensions; but it may be doubtful whether these can be notified to them in time to prepare their adventures. They shall certainly, however, be informed of the wants of your city, and the inducements to go to it, and on this, and all other occasions, I beg leave to recommend our commerce to the patronage of your municipality, and to tender to you the homage of those sentiments of respect and attachment, with which I have the honor to be,

Digitized by Google

Gentlemen, your most obedient, and most humble servant.

TO COLONEL DAVID HUMPHREYS.

PHILADELPHIA, November 6, 1792.

DEAR SIR,—We have never known so long an interval during which there has not been a single vessel going to Lisbon. Hence it is that I am so late in acknowledging the receipt of your letters from No. 54 to 58 inclusive, and that I am obliged to do it by the way of London, and consequently cannot send you the newspapers as usual.

The summer has been chiefly passed in endeavoring to bring the north-western Indians to peace, and in preparing for a vigorous operation against them the ensuing summer, if peace should not be made. As yet no symptoms of it appear on their part. In the meantime there is danger of a war being kindled up on our south-western frontiers by the Indians in that quarter, excited, as we have reason to believe, by some Spanish officers. We trust that it has not been with the authority of their government.

To counterbalance these evils, we have had the blessing of another plentiful harvest of the principal grains. Tobacco and Indian corn have suffered from the early frosts. We have very earnest demands for supplies of grain from Marseilles; but the Algerine cruisers are an impediment. Would it be practicable for you, without awaiting a general treaty, to obtain

Digitized by Google

permission for our *flour* to be carried to Portugal? nothing is more demonstrable than that this restriction is highly injurious to Portugal as well as to us.

Congress assembled yesterday, the President will meet them to-day, and I will enclose you a copy of his speech whereby you will see the chief objects which will be under their consideration during the present session. Your newspapers shall be sent by the very first vessel bound to Lisbon directly. I am, with sentiments of great and sincere esteem, dear Sir, your most obedient, and most humble servant.

P. S. November 7. After writing this letter, your No. 59 came to hand. It seems then that, so far from giving new liberties to our corn trade, Portugal contemplates the prohibition of it, by giving that trade exclusively to Naples. What would she say should we give her wine-trade exclusive to France and Spain. It is well known that far the greatest portion of the wine we consume, is from Portugal and its dependencies, and it must be foreseen that from the natural increase of population in these States, the demand will become equal to the uttermost abilities of Portugal to supply, even when her last foot of land shall be put into culture. Can a wise statesman seriously think of risking such a prospect as this? To me it seems incredible; and if the fact be so, I have no doubt you will interpose your opposition with the minister, developing to him all the consequences which such a measure

Digitized by Google

Digitized by Google

permission for our fleet to be carried to Portu- ence. nothing is more demonstrable than that this res- iness. tion is highly injurious to Portugal as well as to ciples

Congress assembled yesterday, the Presiden which meet them to-day, and I will enclose you a c antially his speech whereby you will see the chief o is kind, which will be under their consideration dur all the present session. Your newspapers shall be s it which the very first vessel bound to Lisbon direct stantially with sentiments of great and sincere esteem ed in like your most obedient and most humble s ry kind of some matters

P. S. November 7. After writing with a gov- your No. 59 came to hand. It seems s the reform- far from giving new liberties to our com commerce and gal contemplates the prohibition of it ily distinguish trade exclusively to Naples. Wha this particular should we give her wine-trade e cannot be too and Spain. It is well known t very day's con- portion of the wine we cons s, and endangers and its dependencies, and i onstitution; and, from the natural increas d, as soon as they States, the demand will they do not revoke most abilities of Portug lay additional and last foot of land shall h ships, by name, wise statesman serio I. de Bonne Carrere, prospect as this? T ink it of great conse- if the fact be so, I e two nations, to have your opposition w positions we have con- him all the cons d the day before yester-

Digitized by Google

would have on the happiness of the two nations. He should reflect that nothing but habit has produced in this country a preference of their wines over the superior wines of France, and that if once that habit is interrupted by an absolute prohibition it will never be recovered.

TO GOUVERNEUR MORRIS.

PHILADELPHIA, November 7, 1792.

DEAR SIR,—My last to you was of the 15th of October; since which I have received your Nos. 1, 2, 3, 5, 6, 7. Though mine went by a conveyance directly to Bordeaux, and may therefore probably get safe to you, yet I think it proper, lest it should miscarry, to repeat to you the following paragraph from it.

* * * * * * * *

I am perfectly sensible that your situation must, ere this reaches you, have been delicate and difficult; and though the occasion is probably over, and your part taken of necessity, so that instructions now would be too late, yet I think it just to express our sentiments on the subject, as a sanction of what you have probably done. Whenever the scene became personally dangerous to you, it was proper you should leave it, as well from personal as public motives. But what degree of danger should be awaited, to what distance or place you should retire, are circumstances which must rest with your own discretion,

Digitized by Google

it being impossible to prescribe them from hence. With what kind of government you may do business, is another question. It accords with our principles to acknowledge any government to be rightful, which is formed by the will of the nation substantially declared. The late government was of this kind, and was accordingly acknowledged by all the branches of ours. So, any alteration of it which shall be made by the will of the nation substantially declared, will doubtless be acknowledged in like manner. With such a government *every kind* of business may be done. But there are *some matters* which, I conceive, might be transacted with a government *de facto;* such, for instance, as the reforming the unfriendly restrictions on our commerce and navigation. Such cases you will readily distinguish as they occur. With respect to this particular reformation of their regulations, we cannot be too pressing for its attainment, as every day's continuance gives it additional firmness, and endangers its taking root in their habits and constitution; and, indeed, I think they should be told, as soon as they are in a condition to act, that if they do not revoke the late innovations, we must lay additional and equivalent burthens on *French ships*, by name. Your conduct in the case of M. de Bonne Carrere, is approved entirely. We think it of great consequence to the friendship of the two nations, to have a minister here in whose dispositions we have confidence. Congress assembled the day before yester-

Digitized by Google

day. I enclose you a paper containing the President's speech, whereby you will see the chief objects of the present session. Your difficulties as to the settlements of our accounts with France and as to the payment of the foreign officers, will have been removed by the letter of the Secretary of the Treasury, of which, for fear it should have miscarried, I now enclose you a duplicate. Should a conveyance for the present letter offer to any port of France directly, your newspapers will accompany it. Otherwise, I shall send it through Mr. Pinckney, and retain the newspapers as usual, for a direct conveyance.

I am, with great and sincere esteem, dear Sir, your most obedient, and most humble servant.

TO COLONEL DAVID HUMPHREYS.

PHILADELPHIA, November 8, 1792.

DEAR SIR,—You were not unapprised of the reluctance with which I came into my present office, and I came into it with a determination to quit it as soon as decency would permit. Nor was it long before I fixed on the termination of our first federal cycle of four years as the proper moment. That moment is now approaching, and is to me as land was to Columbus in his first American voyage. The object of this private letter is to desire that your future public letters may be addressed to the Secretary of State by title and not by name, until you know who he will be, as otherwise your letters

Digitized by Google

arriving here after the 3d of March, would incur the expense, delay, and risk of travelling six hundred miles by post after their arrival here. I may perhaps take the liberty of sometimes troubling you with a line from my retirement, and shall be ever happy to hear from you, and to give you every proof of the sincere esteem and respect, with which I have the honor to be, dear Sir, your affectionate friend and servant.

P. S. We yesterday received information of the conclusion of peace with the Wabash and Illinois Indians. This forms a broad separation between the northern and southern war-tribes.

TO T. M. RANDOLPH, JR.

PHILADELPHIA, November 16, 1792.

DEAR SIR,—Congress have not yet entered into any important business. An attempt has been made to give further extent to the influence of the Executive over the Legislature, by permitting the heads of departments to attend the House and explain their measures *viva voce*. But it was negatived by a majority of 35 to 11, which gives us some hope of the increase of the republican vote. However, no trying question enables us yet to judge, nor indeed is there reason to expect from this Congress many instances of conversion, though some will probably have been effected by the expression of the public

Digitized by Google

sentiment in the late election. For, as far as we have heard, the event has been generally in favor of republican, and against the aristocratical candidates. In this State the election has been triumphantly carried by the republicans; their antagonists having got but 2 out of 11 members, and the vote of this State can generally turn the balance. Freneau's paper is getting into Massachusetts, under the patronage of Hancock; and Samuel Adams, and Mr. Ames, the colossus of the monocrats and paper men, will either be left out or hard run. The people of that State are republican: but hitherto they have heard nothing but the hymns and lauds chanted by Fenno. My love to my dear Martha, and am, dear Sir, yours affectionately.

TO MONSIEUR DE TERNANT.

PHILADELPHIA, November 20, 1792.

SIR,—Your letter on the subject of further supplies to the colony of St. Domingo, has been duly received and considered. When the distresses of that colony first broke forth, we thought we could not better evidence our friendship to that and to the mother country also, than to step in to its relief, on your application, without waiting a formal authorization from the National Assembly. As the case was unforeseen, so it was unprovided for on their part, and we did what we doubted not they would have desired us to do, had there been time to make

Digitized by Google

the application, and what we presumed they would sanction as soon as known to them. We have now been going on more than a twelvemonth, in making advances for the relief of the colony, without having, as yet, received any such sanction; for the decree of four millions of livres in aid of the colony, besides the circuitous and informal manner by which we became acquainted with it, describes and applies to operations very different from those which have actually taken place. The wants of the colony appear likely to continue, and their reliance on our supplies to become habitual. We feel every disposition to continue our efforts for administering to those wants; but that cautious attention to forms which would have been unfriendly in the first moment becomes a duty to ourselves, when the business assumes the appearance of long continuance, and respectful also to the National Assembly itself, who have a right to prescribe the line of an interference so materially interesting to the mother country and the colony.

By the estimate you were pleased to deliver me, we perceive that there will be wanting, to carry the colony through the month of December, between thirty and forty thousand dollars, in addition to the sums before engaged to you. I am authorized to inform you, that the sum of forty thousand dollars shall be paid to your orders at the treasury of the United States, and to assure you, that we feel no abatement in our dispositions to contribute these

Digitized by Google

aids from time to time, as they shall be wanting, for the necessary subsistence of the colony; but the want of express approbation from the national Legislature, must ere long produce a presumption that they contemplate perhaps other modes of relieving the colony, and dictate to us the propriety of doing only what they shall have regularly and previously sanctioned. Their decree before mentioned, contemplates purchases made *in the United States only*. In this they might probably have in view, as well to keep the business of providing supplies under a single direction, as that these supplies should be bought where they can be had cheapest, and where the same sum will consequently effect the greatest measure of relief to the colony. It is our wish, as undoubtedly it must be yours, that the moneys we furnish be applied strictly in the line they prescribe. We understand, however, that there are in the hands of our citizens, some bills drawn by the administration of the colony, for articles of subsistence *delivered there*. It seems just, that such of them should be paid as were received before *bona fide* notice that that mode of supply was not bottomed on the funds furnished to you by the United States, and we recommend them to you accordingly.

I have the honor to be, with sentiments of the most perfect esteem and respect, Sir, your most obedient, and most humble servant.

Digitized by Google

TO THOMAS PINCKNEY.

PHILADELPHIA, December 3, 1792.

DEAR SIR,—I do not write you a public letter by the packet because there is really no subject for it. The elections for Congress have produced a decided majority in favor of the republican interest. They complain, you know, that the influence and patronage of the Executive is to become so great as to govern the Legislature. They endeavored a few days ago to take away one means of influence by condemning references to the heads of department. They failed by a majority of five votes. They were more successful in their endeavor to prevent the introduction of a new means of influence, that of admitting the heads of department to deliberate occasionally in the House in explanation of their measures. The proposition for their admission was rejected by a pretty general vote. I think we may consider the tide of this government as now at the fullest, and that it will, from the commencement of the next session of Congress, retire and subside into the true principles of the Constitution. An alarm has been endeavored to be sounded as if the republican interest was indisposed to the payment of the public debt. Besides the general object of the calumny, it was meant to answer the special one of electioneering. Its falsehood was so notorious that it produced little effect. They endeavored with as little success to conjure up the ghost of anti-federal-

Digitized by Google

ism, and to have it believed that this and republicanism were the same, and that both were Jacobinism. But those who felt themselves republicans and federalists too, were little moved by this artifice; so that the result of the election has been promising. The occasion of electing a Vice-President has been seized as a proper one for expressing the public sense on the doctrines of the monocrats. There will be a strong vote against Mr. Adams, but the strength of his personal worth and his services will, I think, prevail over the demerit of his political creed.

I am, with great and sincere esteem, my dear Sir, your most obedient, and most humble servant.

TO DR. GEORGE GILMER.

PHILADELPHIA, December 15, 1792.

DEAR DOCTOR,—I received only two days ago your favor of October 9, by Mr. Everett. He is now under the small-pox. I am rejoiced with the account he gives me of the invigoration of your system, and am anxious for your persevering in any course of regimen which may long preserve you to us. We have just received the glorious news of the Prussian army being obliged to retreat, and hope it will be followed by some proper catastrophe on them. This news has given wry faces to our monocrats here, but sincere joy to the great body of the citizens. It arrived only in the afternoon of yesterday, and the bells were rung and some illuminations took place

Digitized by Google

in the evening. A proposition has been made to Congress to begin sinking the public debt by a tax on pleasure horses; that is to say, on all horses not employed for the draught or farm. It is said there is not a horse of that description eastward of New York. And as to call this a *direct tax* would oblige them to proportion it among the States according to the census, they choose to class it among the *indirect taxes*. We have a glimmering hope of peace from the northern Indians, but from those of the south there is danger of war. Wheat is at a dollar and a fifth here. Do not sell yours till the market begins to fall. You may lose a penny or two in the bushel then, but might lose a shilling or two now. Present me affectionately to Mrs. Gilmer. Yours sincerely.

TO JOHN FRANCIS MERCER.

PHILADELPHIA, December 19, 1792.

DEAR SIR,—I received yesterday your favor of the 13th. I had been waiting two or three days in expectation of vessels said to be in the river, and by which we hope more particular accounts of the late affairs in France. It has turned out that there were no such vessels arriving as had been pretended. However I think we may safely rely that the Duke of Brunswick has retreated, and it is certainly possible enough that between famine, disease, and a country abounding with defiles, he may suffer some

Digitized by Google

considerable catastrophe. The monocrats here still affect to disbelieve all this, while the republicans are rejoicing and taking to themselves the name of Jacobins, which two months ago was fixed on them by way of stigma. The votes for Vice-President, as far as hitherto known, stand thus:

	ADAMS.	CLINTON.
New Hampshire	6	
Massachusetts	16	
Rhode Island	4	
Connecticut	7	
New York		12
Pennsylvania	14	1
Delaware	3	
Maryland	8	
Virginia		21

Bankrupt bill is brought on with some very threatening features to landed and farming men, who are in danger of being drawn into its vortex. It assumes the right of seizing and selling lands, and so cuts the knotty question of the Constitution whether the General Government may direct the transmission of land by descent or otherwise. The post-office is not within my department, but that of the treasury. I note duly what you say of Mr. Skinner, but I don't believe any bill on weights and measures will be passed. Adieu. Yours affectionately.

Digitized by Google

Digitized by Google

RETURN TO ⟶ CIRCULATION DEPARTMENT 202 Main Library 17810

LOAN PERIOD 1 HOME USE	2	3
4	5	6

ALL BOOKS MAY BE RECALLED AFTER 7 DAYS

Renewals and Recharges may be made 4 days prior to the due date.

Books may be Renewed by calling 642-3405.

DUE AS STAMPED BELOW

DEC 10 1991

DEC 1 1995

AUTO DISC OCT 18 '91

REC.CIRC. DEC 21 1994

SEP 06 2001

UNIVERSITY OF CALIFORNIA, BERKELEY
BERKELEY, CA 94720

FORM NO. DD6

Digitized by Google